

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 12 APRIL 1984

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Mr SPEAKER (Hon. J. H. Warner, Toowoomba South) read prayers and took the chair at 11 a.m.

PAPERS

The following paper was laid on the table, and ordered to be printed—

Report of the Public Service Board for the year ended 30 June 1983.

The following paper was laid on the table—

Regulations under the Stock Routes and Rural Lands Protection Act 1944-1981.

MINISTERIAL STATEMENT**Draft Family and Community Development Bill**

Hon. G. H. MUNTZ (Whitsunday—Minister for Welfare Services and Ethnic Affairs) (11.3 a.m.), by leave: I am pleased to be able to place upon the table a draft Family and Community Development Bill. The Bill will repeal and replace the Children's Services Act, which was passed almost two decades ago. The Year of the Family is a particularly opportune time for this draft Bill to be tabled. It is a Bill that supports the initiatives which have been, and will be, taken in this, the Queensland Year of the Family.

The Bill will represent, in many ways, a new era of welfare service provision in Queensland. Increasingly, it has been recognised that the provision of services to support the family unit is not the sole province of the Government. It is a responsibility that is shared with individuals, non-government organisations, and the community generally. The well-being of the family unit is fundamental to the growth and development of any community, thus every concerned Queenslanders will have a commitment to the provision of services and programs that support and assist family functioning.

The draft Bill, however, is not only concerned with short-term solutions to immediate problems; rather it takes a much wider developmental perspective. It is designed to be sufficiently flexible to accommodate social change as it occurs, and recognises both the current and future potential of the Queensland community. Community development is a key concept within the Bill. The Government is committed to assisting communities to provide more adequately for their own specialised needs.

In keeping with the theme of community participation in the planning and delivery of welfare services, the draft Bill has not been developed in isolation from those who have wished to express opinions or ideas about family welfare. Extensive community consultation has occurred with, and numerous written submissions have been received from, individuals and organisations in the community. Some community organisations considered the previous parliamentary paper to be imprecise and asked for a more detailed document which they described as a nuts-and-bolts document. This draft Bill responds to that request.

The Bill will provide for ongoing community consultation to occur, even after the Act is proclaimed, through such mechanisms as the establishment of ministerial advisory committees.

I am seeking, during the next few months, written submissions from Queenslanders throughout the State, containing suggestions that will enable the draft Bill to be further developed. This is desirable as the vitally important role that non-government welfare and community groups and local authorities will have in the implementation of the Bill demands that such agencies have the opportunity to provide full and frank comment on the Bill.

Professional bodies, such as the Law Society of Queensland and the Bar Association, will also be consulted to obtain their views on the Bill, as will members of the judiciary and magistracy, and other persons concerned with the operations of courts in Queensland. Various interested community organisations throughout the State will be consulted by my department.

The preservation of the family is the key aspect of the draft Bill. A principle which is adopted in the Bill is that in the first instance all efforts must be made to assist families responsible for the rearing of children, to provide adequate care and nurturing for their children within the family context. Where all efforts to support parents in carrying out their parental responsibilities have failed, only then should consideration be given in affording a child security and continuity of care within another family by non-voluntary means. Coercive intervention to achieve this end is considered a last resort. Rather, parents will be encouraged to seek the help they need.

Where legislation such as this, which profoundly affects people's lives, is proposed, it is important to provide legal safeguards which ensure that necessary powers are not exercised arbitrarily or improperly. Therefore the draft Bill contains certain administrative safeguards and court processes of review.

The Bill attempts to meet both philosophical and specific criticisms directed towards the current Children's Services Act. In contrast to the existing Act, which provides for a Children's Court to hear both civil and criminal matters, the draft Bill separates the jurisdictions. This reflects the belief that children who offend against the criminal law should be dealt with quite separately from children who are the victims of child abuse, or whose families are otherwise unable to care for them. Thus, both a Family Matters Court and a Juvenile Court will be established.

The Family Matters Court will have jurisdiction to deal with children in need of protection, matters such as guardianship and custody of, and access to, children and the payment of preliminary expenses and maintenance to persons caring for children. Orders aimed at preventing the occurrence and re-occurrence of domestic violence are also provided. The philosophy of the court emphasises conciliation of disputes between parties. The court will have access to a wide range of services.

Mr SPEAKER: Order! There is too much audible conversation in the Chamber.

Mr MUNTZ: The Juvenile Court has been given an increased range of sentencing options to deal with juvenile offenders. Community service orders, which have proved a highly successful method of rehabilitation for adult offenders, have now been extended to the juvenile jurisdiction. Other innovations include the extension of the attendance centre concept to enable this service to be provided by licensed community agencies, and power for courts to sentence young offenders to specific periods of detention.

New provisions for the care of children outside their families have been included, such that children may be temporarily cared for in substitute families, without their parents losing powers of guardianship or entitlements of custody of their children. Written care agreements will protect the interests of the child and the parties involved.

Mr SPEAKER: Order! Would the Minister be prepared to table his statement and also have it incorporated in "Hansard"?

Mr MUNTZ: It is an important document, and it will have wide-ranging effects. I would like to read it.

Mr SPEAKER: Order! I would rather the Minister table his statement.

Mr MUNTZ: I shall incorporate my statement in "Hansard", but I wish to read this paragraph.

As it now stands, the draft Bill reflects much of the community advice which has been received to date. However, my Government is committed to a further process of community examination to ensure that the final product is representative of the hopes and aspirations of Queenslanders everywhere.

Mr SPEAKER: Order! I have asked the Minister to table his statement. Will he please do so immediately?

Mr MUNTZ: I table the document, and I advise the House that there will be sufficient copies for honourable members and interested persons.

Whereupon the honourable gentleman laid the paper on the table.

Mr SPEAKER: Order! Is leave granted for the Minister to incorporate his speech in "Hansard"?

(Leave granted.)

I am pleased to place upon the table a draft Family and Community Development Bill. The Bill will repeal and replace the Children's Services Act which was passed almost two decades ago. The Year of the Family is a particularly opportune time for this draft Bill to be tabled. It is a Bill that supports the initiatives which have been, and will be, taken in this the Queensland Year of the Family.

The Bill will represent, in many ways, a new era of welfare service provision in Queensland. Increasingly, it has been recognized that the provision of services to support the family unit is not the sole province of Government. It is a responsibility that is shared with individuals, non-government organizations, and the community generally. The well-being of the family unit is fundamental to the growth and development of any community, and thus every concerned Queenslanders will have a commitment to the provision of services and programmes that support and assist family functioning.

The draft Bill, however, is not only concerned with short-term solutions to immediate problems, but rather takes a much wider developmental perspective. It is designed to be sufficiently flexible to accommodate social change as it occurs, and recognizes both the current and future potential of the Queensland community. Community development is a key concept within the Bill. The government is committed to assisting communities to more adequately provide for their own specialized needs.

In keeping with the theme of community participation in the planning and delivery of welfare services, the draft Bill has not been developed in isolation from those who have wished to express opinions or ideas about family welfare. Extensive community consultation has occurred with, and numerous written submissions have been received from, individuals and organizations in the community. Some community organizations considered the previous Parliamentary Paper to be imprecise and asked for a more detailed document which they described as a "nuts and bolts" document. This draft Bill responds to that request.

The Bill will provide for ongoing community consultation to occur even after the Act is proclaimed, through such mechanisms as the establishment of Ministerial Advisory Committees.

I am seeking, during the next few months, written submissions from Queenslanders throughout the State, containing suggestions that will enable the draft Bill to be further developed. This is desirable as the vitally important role that non-government welfare and community groups, and Local Authorities, will have in the implementation of the Bill demands that such agencies have the opportunity to provide full and frank comment on the Bill.

Professional bodies, such as the Law Society of Queensland and the Bar Association, will also be consulted to obtain their views on the Bill, as will members of the judiciary and magistracy, and other persons concerned with the operations of courts in Queensland. Various interested community organizations throughout the State will be consulted by my Department.

The preservation of the family is the key aspect of the draft Bill. A principle which is adopted in the Bill is that in the first instance all efforts must be made to assist families responsible for the rearing of children, to provide adequate care and nurturing for their children within the family context. Where all efforts to support parents in carrying out their parental responsibilities have failed, only then should consideration be given in affording a child security and continuity of care within another family by non-voluntary means. Coercive intervention to achieve this end is considered a last resort. Rather, parents will be encouraged to seek the help they need.

Where legislation, such as this, which profoundly affects people's lives is proposed, it is important to provide legal safeguards which ensure that necessary powers are not exercised arbitrarily or improperly. Therefore the draft Bill contains certain administrative safeguards and court processes of review.

The Bill attempts to meet both philosophical and specific criticisms directed towards the current Children's Services Act. In contrast to the existing Act, which provides for a Children's Court to hear both civil and criminal matters, the draft Bill separates the jurisdictions. This reflects the belief that children who offend against the criminal law should be dealt with quite separately from children who are victims of child abuse, or whose families are otherwise unable to care for them. Thus, both a Family Matters Court and a Juvenile Court will be established.

The Family Matters Court will have jurisdiction to deal with children in need of protection, matters such as guardianship and custody of, and access to, children and the payment of preliminary expenses and maintenance to persons caring for children. Orders aimed at preventing the occurrence and re-occurrence of domestic violence are also provided. The philosophy of the Court emphasizes conciliation of disputes between parties. The court will have access to a range of services.

The Juvenile Court has been given an increased range of sentencing options to deal with juvenile offenders. Community Service Orders, which have proved a highly successful method of rehabilitation for adult offenders, have now been extended to the juvenile jurisdiction. Other innovations include the extension of the attendance centre concept to enable this service to be provided by licenced community agencies, and power for courts to sentence young offenders to specific periods of detention.

New provisions for the care of children outside their families have been included, such that children may be temporarily cared for in substitute families, without their parents losing powers of guardianship or entitlements of custody of their children. Written care agreements will protect the interests of the child and the parties involved. Emphasis is on the reconciliation of the child and his family.

The administration of child protection services in Queensland is justifiably a source of great pride to the Government, and the Bill enhances the delivery of these services, by formalizing in statute a Co-ordinating Committee on Child Abuse and Neglect, and the Suspected Child Abuse and Neglect teams which operate on a local basis, Statewide. Status offences, such as being uncontrollable or truancy, have been abolished and such children will now be treated as being in need of protection. Orders for the protection of children are initially time-limited, and only in the most extreme cases will consideration be given to terminating parental rights and responsibilities. A primary function of the Family Matters Court in child protection matters will be to ensure that children are not left "in limbo" within the welfare system. Where it is not possible to reconcile a child with his family, he may be placed with a long term substitute family with legal rights in relation to the child.

The principle of joint responsibility for the delivery of family welfare services, to which I referred earlier, finds expression in the wider range of programmes for which, community agencies may be licensed. Licences may be issued to cover such diverse areas of service as foster care provided by agencies and community-based juvenile corrective programmes.

Agents and volunteers will be recruited and trained to perform specified duties on behalf of the Department. One important consequence of this is that remote country areas will be provided with a more local service, by persons who have the advantage of knowing the local community.

This brief outline of some of the key concepts and programmes within the draft Bill is far from exhaustive. Indeed, the draft Bill itself is far from being a final document and omits a limited number of areas which require further consideration after appropriate discussions have occurred. It contains the general thrust to which this Government is committed, but needs the fine tuning that can be provided by its circulation for comment. A Bill of such importance to the community at large clearly requires widespread consideration. It is for this purpose that the Bill is proposed to be tabled as a draft.

The draft Bill contains in excess of 375 sections. It will therefore require considerable examination before its full implications can be assessed. I therefore wish to express my appreciation to all those who will undertake this task. I also wish to take this opportunity of expressing my appreciation to the efforts of officers of the Parliamentary Counsels Office, my Department and various other State Government Departments in the production of the draft Bill.

It is only after feedback is received that the Bill will be introduced. It is anticipated that this will occur later this year. At that time emphasis will be placed on discussions with affected agencies in respect of the implementation of the Bill's provisions and, subject to the availability of resources, the progressive implementation of the legislation.

As it now stands, the draft Bill reflects much of the community advice which has been received to date. However, my Government is committed to a further process of community examination to ensure that the final product is representative of the hopes and aspirations of Queenslanders everywhere. All Members of the Legislative Assembly are invited to make suggestions in relation to this Bill. I would urge your full support in this matter. The future of the Queensland family deserves no less.

I request community organizations to make written submissions to me by 30th June, 1984.

COMMITTEE OF SUBORDINATE LEGISLATION

Fourteenth Report

Mr SIMPSON (Cooroora): I lay on the table of the House the fourteenth report of the Committee of Subordinate Legislation, and I move that it be printed.

Whereupon the report was laid on the table, and ordered to be printed.

PERSONAL EXPLANATION

Mr INNES (Sherwood) (11.11 a.m.), by leave: I refer to statements made by the Attorney-General on a television program last night and to statements attributed to the Honourable the Premier in newspapers this morning that assert that my stance to the recent amendments to the Criminal Code gives support to terrorists, extortionists and other prisoners. The assertions refer to the current bank extortion threat for support.

The assertions are untrue and are a grave misrepresentation of my attitude and of the statements that I made in this House. They also reflect adversely on the criminal law provisions over which National/Liberal Governments have presided for 26 years.

I make the following points—

1. I support and will continue to support effective antiterrorist legislation, anti-terrorist law enforcement and tough penalties for terrorists. To that end I made specific law reform proposals in the limited area of deficiencies in the present law.

2. The bank extortion case proves—not disproves—my assertion that most terrorists and terrorist-type activities are covered by the present law. I refer to section 308 of the Criminal Code, assented to on 28 November 1899. That section makes it a crime for any person to directly or indirectly cause a person to receive any written threat to kill any person at all. Section 309 of the Code relates to gang involvement and makes it a crime for any person to conspire with another person to kill any person. Section 415, which was amended last Tuesday night, was inserted in 1899 and subsequently amended in 1961, 1976 and 1977, makes it a crime, punishable by 14 years' imprisonment, to cause any person to receive any written, taped or oral demand for money or other property, accompanied with threats of injury.

I repeat that I support effective criminal law and effective antiterrorist law. I am prepared to support my statements with actions. Honourable members will recall that in October last year I was personally involved in the pursuit and capture of a person who assaulted a person from my own electorate.

PETITION

The Clerk announced the receipt of the following petition—

Number of Brisbane City Council Aldermen

From Sir William Knox (51 signatories) praying that the Parliament of Queensland will oppose any measure to increase the number of aldermen in the Brisbane City Council.

Petition received.

QUESTIONS UPON NOTICE

Questions submitted upon notice by members were answered as follows—

1. Milk Delivery Trucks

Mr Kruger asked the Minister for Primary Industries—

(1) Is it proper for a milk-vendor to carry other than milk on a delivery truck?

(2) If not, will he take action to prevent a milk-vendor carrying clean and dirty linen, bread, pies and vegetables, etc., on a milk truck with milk, if evidence is produced showing that such is happening?

Answer—

(1 & 2) Milk vendors are normally not permitted to carry products other than milk, cream and other dairy products approved by the Queensland Milk Board. This condition is normally attached to a vendor's licence.

However, in isolated instances, the board has deleted this condition in situations in which milk is transported some distance from a coastal factory to an inland country town. In these situations the dairy products are carried in an approved insulated compartment on the vendor's vehicle, separate from other goods being carried.

If goods other than dairy products are being carried on a vendor's vehicle without the approval of the board or my department, or if there is evidence that milk quality is being affected, steps will be taken to prevent the practice.

2. Overseas Study Tour by Mr R. B. Bygott

Mr Kruger asked the Minister for Primary Industries—

With reference to the Government Gazette No. 29, dated 11 February 1984, item 47, in which reference was made to the appointment of Charles Peter Hamilton as acting chairman, Rural Reconstruction Board, Department of Primary Industries, from 27 February 1984 to and including 23 March 1984 during the absence of Mr R. B. Bygott on an overseas study tour—

What is the nature of the overseas study tour, giving details of countries visited and studies undertaken?

Answer—

Mr R. B. Bygott, chairman of the Rural Reconstruction Board, attended an international symposium in Paris from 29 February to 2 March 1984 on the Social Economy in Agriculture and Rural Life. He presented a paper entitled "Government Participation in Rural Credit in Australia". His attendance was in response to an invitation, from the French Minister for Agriculture, for Australian participation in this symposium.

Whilst overseas, Mr Bygott undertook a short study tour in Holland, England, the United States and Canada to examine Government involvement in the provisions of agricultural credit and to ascertain assistance measures of possible relevance to Queensland.

DISTINGUISHED VISITOR

Senator Margaret Reynolds

Mr SPEAKER: Honourable members, I extend a welcome to Senator Margaret Reynolds, of Queensland, who is seated in the Distinguished Visitors' Gallery.

Honourable Members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Extortion Threat against Banks

Mr WRIGHT: In directing a question to the Premier and Treasurer, I refer to his attempt to link the PLO and the IRA with the alleged extortion threat against four Queensland banks, and I ask: How can he make or justify such claims when, in addition

to the fact that neither the IRA, the PLO nor the Arab League has an office in Australia, it is on record that the Federal Australian Labor Party Government has refused to grant visitor entry into Australia to any PLO member until Israel is officially recognised? In line with that policy, the Federal Government has already refused entry to PLO journalist Fares Grubb and, moreover, has publicly abhorred and condemned the IRA.

Mr BJELKE-PETERSEN: The Leader of the Opposition leaves himself wide open to——

Mr Wright: Answer the question.

Mr BJELKE-PETERSEN: Yes, I will answer the question. All I want to know is whose side the honourable member is on. The Commonwealth has never——

Mr Wright interjected.

Mr SPEAKER: Order! The Leader of the Opposition will listen to the answer.

Mr BJELKE-PETERSEN: As has been widely publicised through the media all over Australia, the Federal Government has never once refused to give the right to those three organisations to set up headquarters in Australia.

Mr Fouras: You are a fraud.

Mr BJELKE-PETERSEN: The Federal Government has never denied that.

Mr SPEAKER: Order! I warn the honourable member for South Brisbane under Standing Order 123A for making that remark.

Mr BJELKE-PETERSEN: This issue is a very serious one, and since the days when it was made public, I have tried to raise it. No denial has been forthcoming from Canberra stating that those three organisations have not been given the right to set up headquarters and offices, with all facilities, such as telephones, in this State. It is incomprehensible to me that any organisation would agree to set up——

Mr R. J. Gibbs interjected.

Mr SPEAKER: Order! I warn the honourable member for Wolston under Standing Order 123A.

Mr BJELKE-PETERSEN: I am glad that this issue has been raised, because again I am given an opportunity to express my very grave concern at the direction in which the Federal Government is taking this nation. It is taking Australia down the road of association with groups of this type throughout the world. It has given such groups permission to set themselves up in Australia.

At no time did I link those organisations with the threats made against the banks. What I said was that, apart from what is happening in Queensland, it is terrible that in Canberra we have a Government that extends the rights that I have mentioned to those organisations.

Mr Wright: That's not true.

Mr BJELKE-PETERSEN: Let the Leader of the Opposition get Mr Hawke to Queensland to state categorically that it is not true. It is true. That is exactly what has happened, and the Federal Government has not denied it. If someone has told the Leader of the Opposition differently, the honourable gentleman is having his leg pulled. What I have said is correct.

No-one would know the association between any of those three organisations or any other organisations and the very serious threat that was made yesterday.

It ill-behoves members of the Opposition to oppose the antiterrorist legislation, as they did. My Government is trying to create a climate and conditions in which people such as those who have made this threat will be deterred from doing so. We have tried to set up a front against them.

In my long association with the Labor movement, I have always found it to be on the side of the thugs and similar types of people. It makes the path easy for them and encourages them. That type of action is taken by members of the ALP. Their one-time great organisation should be ashamed of them.

Mr WRIGHT: I direct a supplementary question to the Premier and Treasurer on the same matter. I ask: As it is an accepted practice and rule not to give publicity to extortion threats, will he justify to the House his reasons for publicising in such an extreme way the extortion threat against the four banks? Further, if the issue is of such grave public importance, why was the information withheld for four days? Or is this another example of a blatant attempt by the Premier and his Government to gain political mileage from the activities of cranks, crackpots and ratbags?

Mr BJELKE-PETERSEN: The Leader of the Opposition ought to know that my Ministers and I act very responsibly in all issues such as this that deeply concern us.

Mr Wright: Why withhold the information for four days?

Mr BJELKE-PETERSEN: The simple fact is that the banks and the police did not release any information, even to me, until yesterday afternoon.

Mr Wright: You didn't know about it?

Mr SPEAKER: Order! I warn the Leader of the Opposition under Standing Order 123A for repeatedly making interjections.

Mr BJELKE-PETERSEN: The cold, hard facts are that the banks, because of their very deep concern for their own employees and people associated with the banks, had to inform their employees. At that time, the extortion threat became public knowledge throughout the State. It was then that the media knew about it. The media came to me and I stated the facts as briefly as I could. It is obvious that the Opposition has been caught out in its support for this type of thing, and that is indicated by its opposition to the legislation that was introduced into this House two days ago.

Proposed Federal Election

Mr NEAL: I ask the Premier and Treasurer: With the current spate of media reports on the probability of an early Federal election, will he give his views on such reports and the necessity for such an election?

Mr BJELKE-PETERSEN: I cannot understand why there is talk about an early Federal election. The media says that the Prime Minister is very popular. If he is so popular, why must he put this nation to the expense of an early election that will cost many millions of dollars? It is wrong in principle. There is no justification for it. It shows that the Labor Party is bent on mischief of the highest degree that is detrimental to this State and to this nation. I will continue to say that there is absolutely no justification in any shape or form for another election. The Prime Minister ought to be the last person to be talking in that fashion.

Australian Bureau of Statistics Report on State Taxation

Mr NEAL: I ask the Premier and Treasurer: Has his attention been drawn to the latest figures on State taxation published by the Australian Bureau of Statistics? Do those figures again indicate the high-tax policies of ALP Governments in the other States?

Mr BJELKE-PETERSEN: Criticism has been levelled at the State Government by the Leader of the Opposition. He is always trying to pull down and destroy the credibility of the State in which he is very privileged to live. The information published by the Australian Bureau of Statistics yesterday showed that the non-Labor States of Queensland and Tasmania recorded by far the lowest increases during the last financial year.

The increase in Queensland was 8 per cent, which is well below the rate of inflation. By contrast, the rate of increase under the socialist Labor Government in Victoria was 21 per cent—nearly three times the increase in Queensland. The increase in New South Wales was double the increase in Queensland. The increase in South Australia was 10 per cent, which is also higher than the increase in Queensland.

Perhaps the most interesting figure is the projected increase for Western Australia for the current year—the first full measure of the Labor tax-gatherers' performance in that State. The estimated increase for Western Australia will be a staggering 20 per cent, or more than three times the projected increase in Queensland. It is no wonder that Queensland is known as the low-tax State.

Extortion Threat Against Banks

Mr WARBURTON: I ask the Premier and Treasurer: With regard to the extortion threat against Queensland banks and his public comment that would tend to imply that outside interests or organisations could be responsible—will he advise the House of details of approaches by the Queensland Police or approaches by himself or other representatives of the Queensland Government to the Federal Police regarding the extortion threat, which obviously is the only responsible action to take in the circumstances?

Mr BJELKE-PETERSEN: I have not said that the Labor Party is responsible for this. All I have said—

Mr Warburton: You implied it.

Mr BJELKE-PETERSEN: I am talking in terms of the Commonwealth Government and the Labor Party. I know that the Queensland Opposition associates with and lines itself up with them. The Opposition's attitude and policies towards criminals always have been, and always will be, soft. The Opposition supports and encourages them to a fairly large degree.

As far as I am concerned, the whole matter is in the hands of the police. The police are responsible. The banks have been informed of the threat. They have handled the matter very effectively and responsibly. As I said, the Government has left the matter in the hands of the police.

Twin Rivers Tavern

Mr WARBURTON: In directing a question to the Minister for Justice and Attorney-General, I refer him once again to the Twin Rivers Tavern at Eagleby and advise him that there are tremendous problems, including employees not having been paid wage entitlements. In the interests of trying to solve these matters, I ask: Would he be prepared to provide me with the names of the new licensees and with the names of those associated with the tavern as new owners?

Mr HARPER: Honourable members would realise that the nominee of the Twin Rivers Tavern was Ronald Roy Schulz. The present owner/licensee of the tavern is shown as Ironside Investments Pty Ltd. I suggest that, if any employees wish to retrieve wages they claim have not been paid, they should look to that company or to the present provisional liquidator.

National Wage

Mr ELLIOTT: I ask the Deputy Premier and Minister Assisting the Treasurer: Could he advise the House of the extra cost to the State as a result of the recent 4.1 per cent national wage rise and the effect that it is likely to have on the national economy?

Mr GUNN: I am delighted to be asked the question. It is imperative that the House be informed that the estimated cost to the State of the 4.1 per cent wage increase is \$23m for the balance of this year and almost \$100m in a full year. The rise could jeopardise economic recovery. I refer to McGuinness's article in "The Australian Financial Review" on 10 April. He said—

"The current economic recovery will be short-lived.

The temporary strong upswing of the last two quarters of 1983, to the extent that it is not a statistical illusion, cannot continue long into 1984, and by the end of this year the signs of stalling economic growth and rising unemployment will be clear."

On the basis of that, everybody can understand why Mr Hawke wants an election. The article continues—

“... unemployment cannot be expected to be very much less than 9 or 10 per cent of the workforce.”

The editorial of the same issue says—

“But its economic honeymoon has run its course. It will now have to settle down to the real issues of domestic economic management.

But the chickens of the prices and income accord are coming home to roost and the Government will have to face up to the fact that the lucky streak it has enjoyed thanks to the last Government's policy, will have come to an end.”

It will be noted that, despite a plea by Mr Hawke for them to do so, there is no confidence by those in the private sector to invest. To that they said, “You lower the deficit.” Business is burdened with rising costs and renewed pressure on interest rates.

It is about time that Hawke and Keating took some positive action. The recent upturn was brought about by the Fraser Government's wages pause and the breaking of the drought. All the Federal Government has done is to float the dollar, which had to be done, and take tentative steps on the introduction of foreign banks. Of course, that is half done.

The Federal Government is using wage indexation as a revenue-earner. However, there is an urgent need for tax indexation—and that is recognised in all quarters. Keating should urgently adjust tax scales rather than use them to finance the huge deficit in Canberra.

Third-party Insurance

Mr WHITE: In directing a question to the Deputy Premier and Minister Assisting the Treasurer, I refer to the Government's inquiry into third-party insurance, the report of which I understand is to be produced recently. I ask: Would he advise the House whether the report is to hand, whether it recommends changes to current policy, whether it will be made available to the public and, if so, when and whether the Government is likely to take action on the recommendations proposed?

Mr GUNN: The report has not yet been released. A decision on what will be done with it will be made at the appropriate time. The matter will go to Cabinet first.

Printing Industry

Mr WHITE: In asking a question of the Minister for Industry, Small Business and Technology, I refer to the growing concern in the printing industry because of the increasing amount of printing that is being done off shore. As this relates to employment—I understand from the industry that it has the capacity to generate something like 12 000 jobs—I now ask: Will he advise the Parliament what action the State Government proposes to take to overcome the difficulties being faced by the industry? Will the Minister take action to ensure that all Government departments and statutory authorities have their printing done in Queensland? Will he give effect to the “Keep Printing in Australia” campaign by requesting that all Government publications carry the “Proudly Printed in Australia” logo?

Mr AHERN: At a press conference in Fortitude Valley on Tuesday, I announced that I very strongly supported the “Keep Printing in Australia” campaign. The honourable member rightly pointed out the recent massive escalation in the amount of printing that is done off shore. Ten years ago about \$90m worth of printing was done off shore. The annual figure is now \$450m and is increasing. Approximately 12 500 jobs are being exported.

In a Government initiative to improve the situation, I have indicated that I will be recommending to Cabinet that all Government publications, where possible, carry the logo “Proudly Printed in Australia”. As far as I know, most Government publications are printed here. However, the Government can assist the campaign by using the logo, and I will be encouraging private enterprise to do the same.

If the problem is to be addressed, it should be addressed by the Federal authorities. I will be taking the matter up with my counterpart in Canberra. The plain facts are that the current customs and tariff structure militates very heavily against the Australian printing

industry. That is something that the Federal Government needs to address urgently. A Queensland consumer can purchase paper in Hong Kong for \$200 a tonne less than he can buy the same paper for 2 km from the local factory in Queensland. Many publications come into Australia free of customs and tariff, whereas the paper for printing them does not. That is a matter that the Federal Government needs to address.

The industry is employment intensive and has the ability to employ many apprentices and juniors. The people in the printing industry are small-businessmen and, as part of sustaining economic recovery in this State and throughout Australia, the campaign has my wholehearted support.

Burdekin Rural Education Centre

Mr SMITH: I ask the Minister for Education a question on a matter about which he should be well informed. Is he aware that last week all female students at the Burdekin Rural Education Centre were individually dragged before a panel of four senior male staff to be questioned on a recent incident in which a couple of male students were seen in the precincts of the female dormitory, even though most of the females were not involved and knew nothing of the incident? Is he aware that those female students who were hauled before the all-male panel were denied any rights, including the support of a female companion and, further, that when the students left the panel, they were, without exception, in an advanced state of emotional distress, some even being hysterical?

Is the Minister aware that the chairman of the Burdekin Rural Education Board (Mr Hoey) is widely regarded as being excessively autocratic and, as a result, a number of board members take little part in any decision-making at the college? Is he aware that Mr Hoey has been removed from at least two other boards in the Burdekin area? Will he immediately dismiss Mr Hoey from his position and set up an external—not an internal—panel of review to investigate the administration of the college and the welfare of the students, and include on the board parent and female representation? Will he ensure that conditions are restored so that the entire second-year group of students, who are presently suspended, can return to the college after the vacation without fear of reprisal from the administration?

Mr POWELL: I thank the honourable member for his essay-type question. It would be a good idea if I could get a copy of the question and answer it point by point, but I suppose that the honourable member would not make it available to me.

Mr Smith: You know what has been going on; you have been there.

Mr POWELL: I have been to the Burdekin Rural Education Centre, and I do know what is going on there. My knowledge of what is going on is a little deeper than that of the honourable member who asked the question. Obviously he has been led astray by a couple of people who are determined to see the school destroyed. The situation at the school is extremely serious, and cool heads need to prevail.

I am aware that some female students at the college were interviewed about an alcohol problem. Some students had been surreptitiously drinking alcohol with other people near the stockyards at the college. I am also aware that some male students, also with alcohol, were in the girls' dormitory. Alcohol is strictly forbidden at all of the rural training schools.

I am also aware that, as a result of those escapades, some students have been expelled, and I support their expulsion.

I am also aware of some other problems that have occurred at the college. The honourable member may not be aware of it—although his informant should have told him—but there is currently a dispute before the Industrial Commission. Until that dispute is heard by the Industrial Commission and a decision made, my hands are tied. As soon as the Industrial Commission decision is given, I will take action to ensure the continued good government of the Burdekin Rural Education Centre.

Because it does not fit in comfortably with some of the academics, who would like to see the schools taken over, a determined effort is being made to destroy the system of rural training schools. I have no intention of allowing that to occur. The Government is very strongly supportive of the rural training school being an independent organisation to do

a particular job, which it does particularly well. If meddlesome Matties would keep out of the Burdekin Rural Education Centre and allow the commission to conduct its hearing and bring down its decision, wisdom will prevail.

Townsville Dental Training Centre

Mr SMITH: I direct a question to the Premier and Treasurer: In view of his unwarranted claim that the Hawke Government was neglecting the north by diverting coastal surveillance flights from Townsville to another northern base, how does he justify the closure of the Townsville Dental Training Centre, which was established only five years ago at a cost of some millions of dollars and provides full-time training for about 40 female students and employs 12 professional staff while, at the same time, the Health Minister, who is well known for his antipathy towards Townsville and the north, has announced that the other three centres in Brisbane will continue to operate without any reduction? Is this discrimination against the north what the Premier's Government really stands for and, if so, why does he keep up the charade and hypocrisy of having a Minister for Northern Development?

Mr BJELKE-PETERSEN: Seeing that he is speaking about his own area, the honourable member should know that there were only five students at that centre. Anyway, let me get back to the point about defending the north. What are the honourable member's colleagues doing about defending the north?

Mr Smith: They're not taking something away from the north. You're taking something away.

Mr SPEAKER: Order! The honourable member for Townsville West will cease interjecting.

Mr BJELKE-PETERSEN: I am trying to get the honourable member to support me in the surveillance of north Queensland—

Mr Smith interjected.

Mr SPEAKER: Order! I warn the honourable member for Townsville West under Standing Order 123A.

Mr BJELKE-PETERSEN: Now that the honourable member has learnt his lesson, I would like to ask him: What about you and all your colleagues—the mayor, the Federal member and the State members—getting onto Mr Hawke and saying, "What about your promises during the Federal election campaign? Didn't you promise five patrol boats, three Fokker Friendships, grants to the tourist industry and smaller government?"

Mr Smith: What about your own behaviour?

Mr SPEAKER: Order! I give the honourable member for Townsville West a final warning under Standing Order 123A.

Mr BJELKE-PETERSEN: If I speak for a little longer, he will probably be put out and be able to go home.

Mr Smith: I might as well.

Mr SPEAKER: Order! Under Standing Order No. 123A, I now ask the honourable member for Townsville West to leave the Chamber.

Whereupon the honourable member for Townsville West withdrew from the Chamber.

Mr BJELKE-PETERSEN: The defence of the north is an important question, and I will never forget the promises made by the Prime Minister during the election campaign to provide five patrol boats and three Fokker Friendships as part of his north Queensland defence plan. That has now been scrubbed. It has been indicated that there will be a scaled-down version of even what is there at present.

It is a serious matter. I ask the honourable member who has just been asked to leave the Chamber to go home immediately and get on to the Federal Labor members. I ask the honourable lady who is sitting in the Distinguished Visitors' Gallery, "What are you doing in relation to the defence of north Queensland?"

Opposition Members interjected.

Mr SPEAKER: Order!

Mr Kruger interjected.

Mr SPEAKER: Order! I warn the honourable member for Murrumba under Standing Order 123A.

Mr MACKENROTH: I rise to a point of order. Mr Speaker, I believe that the Premier should apologise to someone who is sitting in your gallery. If he insults that person, I believe that he should apologise.

Mr Wright interjected.

Mr SPEAKER: Order! When an honourable member rises to a point of order, I do not want the Leader of the Opposition to follow it up with a statement. If the Leader of the Opposition continues to do that, I assure him that I will take the appropriate action.

Mr Premier, it has been brought to my attention, by way of a point of order, that apparently you—

Mr Mackenroth: Insulted somebody in your gallery.

Mr SPEAKER: —insulted somebody in the gallery. I do not believe that you did insult somebody in my gallery, as it has been called. I do not believe that a point of order can be taken on that basis.

Mr BJELKE-PETERSEN: I welcome this opportunity, which is the best opportunity that I have ever had, to highlight the Commonwealth Government's broken promises. The lady who is sitting in the back of the Chamber represents Townsville, which is the area mentioned by the honourable member who has just left the Chamber.

Mr Warburton: She represents this State.

Mr BJELKE-PETERSEN: She represents the State?

Mr SPEAKER: Order! Mr Premier, as she is a guest, I ask you—

Mr BJELKE-PETERSEN: Well, if she is a guest, I would suggest to you, Mr Speaker, that you ask her to get on with the job of doing something for Queensland. Let us see and hear something from her. To date, we have heard nothing.

Mr WRIGHT: I rise to a point of order. You, Mr Speaker, welcomed Senator Reynolds to this House. She is in your gallery. We have seen this Queensland senator insulted, and I ask: Is this setting a precedent, and will persons who are visitors welcomed by you be allowed to be insulted without some protection being given by you?

Mr SPEAKER: Order! A point of order has been taken. I have already pointed out to the Premier that words of that nature were put to this Chamber. I have pointed out also that she is a guest in this Chamber at the present moment. I do not in any way believe that the remark was of such a nature that the Premier has to apologise in the situation as the Leader of the Opposition has just put it.

Mr Premier, I again say: guests of this Chamber, who are not in the Chamber and able to defend themselves, are under the protection of the Chair. I ask the Premier to say something along those lines.

Mr BJELKE-PETERSEN: Mr Speaker, I do not intend to insult anybody; I never do. All I wanted to do was use the opportunity, in the service of Queensland, to see whether we can get some more action. That is all I tried to do. I think that Canberra should do more for Queensland. With the honourable senator present, I thought it was an excellent opportunity to ask for that action. I am sure that Senator Reynolds will take my comments in the right way.

Circulation of Questionnaire to Members of Parliament and Public

Mr SIMPSON: I ask the Minister for Education: Is he aware of a questionnaire sent to some people in Brisbane and to State members of Parliament in an endeavour to educate Queensland teachers? Does that questionnaire reflect the highest standard of

education attainable in Queensland? Does it provide an accurate basis of information on the lives, activities and responsibilities of Queensland members of Parliament? Will the results of the questionnaire uphold the Westminster system of Government, or is the questionnaire trying to destroy the democratic system?

Mr POWELL: I imagine that every member has received the questionnaire published by the Queensland University. I have studied the document and I have made a comment on the bottom of it that I will send back to the university.

As far as I am concerned—

Mr Comben: Have you signed it?

Mr POWELL: What I say goes into "Hansard", and I doubt that the member for Windsor understands how to obtain the information, although the university does.

The questionnaire, in my view, is too narrow and seems to lead respondents to take a particular view. I am surprised that the Professor of Education and head of the department (Professor Campbell) has put his signature to the questionnaire. The questionnaire does not offer the opportunity for a person to honestly give a fair picture of his or her views. Such instruments are wrong and unscientific and not becoming of the university.

Opportunity for Students to Attend Queensland Universities

Mr SIMPSON: I have a second question to direct to the Minister for Education. I ask: Has he seen an article in one of the week-end papers suggesting that Queensland students have less chance of entry to universities than have students in the Australian Capital Territory? How do the chances of Queenslanders to gain entry to Queensland universities compare with those of students in the other States? Is there a need for the Federal Government to provide funds to Queensland universities so that they can meet Queensland's growing needs?

Mr POWELL: This is a very serious matter. I did see the article in the week-end press, and it is accurate.

All honourable members know that funding for universities is a Federal function and has been so for many years. Funding for other tertiary institutions such as CAEs has been a Federal responsibility since 1972 or 1973.

Education is the responsibility of the State; but, given the income taxing powers of the Federal Government, the State does not have the financial resources at its disposal to completely fund education. I have always claimed that there should be a return to the position before World War II, when States had the income taxing authority and gave to the Commonwealth Government only what the States thought it was worth.

Mr Hamill: The Premier does not agree with you.

Mr POWELL: The honourable member for Ipswich does not understand what I am saying. If he listened instead of rattling his head, he might hear me.

Per capita, fewer places are available in tertiary institutions in Queensland than are available in the other States. That is the historical attitude. The Federal Government does not understand that Queensland is the only State in Australia that has an increasing number of students.

Universities are funded on a triennium basis. This is the 1982-84 triennium. It is hoped that in the 1985-87 triennium more places will be made available for university students and other tertiary students in Queensland.

I might add that this matter of Federal funding does not involve a party political argument. The Queensland Government raised it with the previous Federal Government also. It is the inflexibility in funding for university and other tertiary education that needs to be removed, so that in Queensland tertiary institutions more places can be made available for Queensland students.

At the present time, Queensland receives approximately 14 per cent of the total funding that is available, and that funding is allocated to Queensland's 16 per cent of the places that are available throughout Australia in tertiary institutions. Quite clearly, therefore, Queensland students are being badly done by under the present type of funding arrangement.

I would like to see the Federal Government cut the red tape that binds the States, so that Queensland can be given more funds and, in turn, apply those funds more effectively to meeting local needs.

Honourable Members interjected.

Mr SPEAKER: Order! I assure all honourable members that if the audible conversation in the Chamber does not cease, I will take the necessary action to ensure that it does. On several occasions I have pleaded with honourable members to reduce the level of noise in the Chamber. With the present condition of the microphone system, it is very difficult to hear from the chair what a member on his feet is saying. Again I plead with honourable members to keep their conversations to as low a noise level as possible.

Extortion Threat against Banks

Mr R. J. GIBBS: In directing a question to the Premier and Treasurer, I refer him to a press release from the Department of Foreign Affairs, dated 30 September 1983, in which it is said that the Federal Government, in the light of overseas practices, will sympathetically consider any application to establish Arab League representation in Australia but that it will insist that no PLO members or representatives are appointed to or employed in certain positions. I draw the Premier and Treasurer's attention to the fact that so far no application has been received from that organisation.

In view of that press release, the alleged extortion threat against major Queensland banks, and the Premier and Treasurer's paranoic statement as reported in this morning's "Courier-Mail" concerning the setting up of IRA and PLO headquarters in Australia, I ask: Will he advise the House where these premises are located? What evidence does he have that the threat is linked in any way with those organisations? How seriously does he take the threat, in view of his absolute failure to involve the Federal police?

Mr BJELKE-PETERSEN: Firstly, I take the threat very seriously indeed. Next, as to whether or not the Federal police are involved is a matter for the Queensland Police Department, which, I am sure, will involve the Federal police if it believes that that is necessary.

The honourable member could not have timed his question better. I was hoping that some Opposition member would ask me such a question, as I have just been handed a copy of a recent newspaper article, which I shall read to answer the other parts of the honourable member's question.

Under the headline "Hayden in row over terrorists", this appears—

"The Foreign Minister, Mr Hayden, was criticised yesterday over Australia's 'soft' attitude to anti-apartheid terrorist organisations from South Africa.

This followed his announcement on Wednesday that the African National Congress and the South-West African People's Organisation—both of which have been blamed for terror bombings—would be allowed to establish offices in Australia.

The criticism mounted yesterday when it was learned that Mr Hayden had had talks on Wednesday with a Melbourne man who claims to be a Palestine Liberation Organisation representative."

I will table the newspaper article. It shows that Mr Hayden had had discussions with a representative of the PLO. What is more, Mr Hayden had received greetings from Arafat. It is all here.

Opposition Members interjected.

Mr BJELKE-PETERSEN: Opposition members can screw up their noses, but they are looking sick. They have been caught out well and truly.

The man who came to see Mr Hayden described himself as a PLO representative in Australia since 1981. He lives in Melbourne, and he is there with the blessing of the Commonwealth Government. He represents Mr Arafat, and he brought greetings from him to Mr Hayden.

Opposition members can read the whole story, because I will table the article. But they should look before they leap. The honourable member should not have jumped in as he did.

Whereupon the honourable gentleman laid the document on the table.

Section 415 of Criminal Code

Mr R. J. GIBBS: In directing a question to the Minister for Justice and Attorney-General, I refer him to the original section 415 of the Criminal Code prior to its amendment to cover terrorism, and I ask: Is it not true that the original section 415 adequately covered the threats that are alleged to have been made against Queensland banks, particularly as it provided for imprisonment for 14 years for offences of this type?

As it did provide for threats of extortion and as the legislation put through this House has been severely criticised by Mr Sturgess, a leading criminal barrister, by the Queensland Law Society, by the Bar Association, by influential sections of the media and by the public, will he give consideration to withdrawing that legislation?

Mr HARPER: I thank the honourable member for his question, because it gives me an opportunity to inform the House that the Bill has now received Royal Assent and is effective. I have said previously and I will continue to say that the Government will not stand for terrorist-type activities in Queensland. Despite opposition from the Labor Party and the Liberal Party in this Chamber, the Government has taken a lead. Those parties voted against the legislation.

Despite anything that the honourable member for Sherwood might care to say, he divided the House and voted against the Bill. He and the Opposition showed clearly where they stand in regard to the type of protection that the Government is affording the people of Queensland. We have made it quite clear and will continue to make it clear that we will not accept that type of proposition. Anyone embarking on acts of terrorism in this State knows quite clearly where he stands and the penalty that is likely to be imposed upon him. It is true, as the honourable member said, that the new section 415 of the Criminal Code covers the situation that appears to have arisen relative to the four banks in Queensland.

The Government is proud to have taken a stance. This morning I noted that the manager of one of the threatened banks commended the Government on its initiative in introducing the legislation. It is now law. The Government is proud to go out to the people, especially the bank employees who are apparently being placed at risk, and say, "We have now in place an Act that will deter that type of attitude." The Government makes no apology for taking action that is determined to protect the interests of Queensland and Queenslanders.

Extortion Threat Against Banks

Mr UNDERWOOD: I direct a supplementary question to the Minister for Justice and Attorney-General, as the chief law officer. I refer to his statement that the Government would take all steps necessary to protect the interests of Queenslanders against the alleged serious extortion threat. I now ask: Has he referred this matter to his Federal counterpart in Canberra? I point out, as the Premier said, that it is up to the Queensland police to decide whether they will contact the Federal police. Surely, if the Government regards this matter as serious, an all-out attack should be co-ordinated by the Queensland and Federal authorities? If he has not done anything to date, why not?

Mr HARPER: The honourable member is so in touch with these matters and so concerned that he does not bother to differentiate between the responsibilities of the different portfolios. It was my responsibility to introduce into this House—with a great deal of satisfaction, I admit—a Bill to help to militate against terrorist-type offences. It is the responsibility of my colleague the Minister for Police to initiate investigations, which he is doing, which he has done, and which his officers are pursuing with their normal diligence.

National Anthem

Mr STEPHAN: In directing a question to the Premier and Treasurer, I refer to the announcement by the Prime Minister (Mr Hawke) that Australia would have a new national anthem. I ask: Does that indicate the continued planned move by the Labor Party towards a republic? Could a move in Queensland, such as a referendum on this issue, help to clarify the matter and impress on Mr Hawke that the Commonwealth Government cannot make such a unilateral decision on such an important issue?

Mr BJELKE-PETERSEN: I have made it quite clear to the media today that Queensland is not bound by anything that the Federal Government may do on that issue and many other issues. That is obvious. It is part and parcel of the Federal Government's platform to clear the decks and get everything out of the road, as it has been doing over the years. It began with the Commonwealth pound. The Commonwealth Police Force was renamed the Australian Police Force. The oath of allegiance has been put aside. The Commonwealth Government wants to get rid of the national anthem. The Queensland Labor Party wants to create an atmosphere in which, if it ever has an opportunity to join with the Labor Governments in the other States, it can set up a republic. That is the policy of the Labor Party. It is something it has been pursuing for a long time. Queensland will not be bound by its decision. Mr Hawke continually talks about consensus and getting everybody together—about agreement and all of the hocus-pocus that does not mean anything.

"The Australian" yesterday clearly pointed out what a hoax the Economic Planning Advisory Council is and how hopeless and useless it is. It is only an attempt to bolster the Labor Party. On this issue, however, Mr Hawke has not bothered to ask anybody. He expects us to stand at attention, click our heels and say, "Yes, sir." However, that does not happen in Queensland. We will not operate that way. He can go his way, and we will go the opposite way.

National Anthem

Mr FOURAS: I ask a supplementary question of the Premier and Treasurer: Does he intend telling children attending State schools in Queensland that, if the National Anthem is "Advance Australia Fair", they must not play it, as is the current practice? Will he change his stance on that matter? None of our children know "Advance Australia Fair". It is not played at the schools because of the Government's policy which is that they play "God Save the Queen".

Mr BJELKE-PETERSEN: Our anthem, as the honourable member ought to know, of course—I do not think he is very happy about or proud about it—is "God Save the Queen". The honourable member is part of the British Commonwealth of Nations. We are proud to be part of that great organisation and have always been thankful for it. We are not ashamed of it. We are prepared to stand by those who are part of the British Commonwealth of Nations, which includes many countries. If the member for South Brisbane is ashamed of it, why does he not go to another country or to New South Wales or Victoria to live? However, we have made our attitude quite clear. We support the national anthem that we are accustomed to. We have grown up with it. It means much to us. The monarchy means much to the State and to the nation. We go along with it, as we have in the past.

St Helena Island; Fort Lytton

Mr STEPHAN: I ask the Minister for Tourism, National Parks, Sport and The Arts: What plans does the Government have for both St Helena Island and Fort Lytton? Does the Government intend taking over the St Helena Island lease presently held by Mr Chas Carroll and preserving the ruins on that island?

Mr McKECHNIE: An editorial in "The Courier-Mail" recently claimed that St Helena Island would become the Port Arthur of Queensland.

Mr SPEAKER: Order! Earlier I warned that I would deal with constant interjection or conversation in the Chamber. I warn the honourable members for Aspley and Burdekin to desist.

Opposition Members: Under 123A?

Mr SPEAKER: Order! I will do it as I wish to do it.

Mr McKECHNIE: St Helena Island does not actually belong to the convict era. It was a forerunner of the Brisbane prison. There is no association between the island and the convict era in the 1880s. However, it is a historic site which we wish to have preserved. The Government has plans for St Helena and Fort Lytton. However, we can proceed only

as funds become available. I gave an undertaking to the Bicentennial Council that I would forward a submission for consideration under the bicentennial program. Very recently two quite lengthy submissions were forwarded.

The problems at Fort Lytton, for example, will be very costly to solve. The perimeter fence of the Ampol refinery will have to be relocated, a new access road will have to be constructed and alterations will have to be made to the boat harbour. Obviously, we can only move on those expensive proposals when funds are available.

Mr Carroll has a lease over St Helena Island. My department has been actively pursuing the matter with the Lands Department. I have had discussions with the Minister for Lands and, with a view to solving the problem, those discussions will continue. However, I stress that a vast amount of funds is needed. Everything possible is being done to solve the problem.

St Helena Island; Fort Lytton

Mr SHAW: As a supplementary question, I ask the Minister whether he is aware that Mr Carroll has claimed to have restored the island? Is the Minister aware that most of the restoration work carried out on the island was done by service clubs and that very little of the work has been done by Mr Carroll? In view of that, is the Minister moving urgently to terminate Mr Carroll's lease so that restoration of the island can take place before the few remaining relics deteriorate beyond repair?

Mr McKECHNIE: One of the difficulties that I have had in administering my portfolio is the fear that has been engendered into the people of Australia concerning the prospect of resumptions for national parks. Most of that fear has been engendered by the New South Wales Government. I am in the business of trying to dispel that fear of resumptions and restore the severely eroded confidence in national parks. I would be reluctant to recommend the termination of a lease or to resume the land. However, I do not rule out that possibility and I want the House and the people of Queensland to know that, if a satisfactory solution cannot be worked out with Mr Carroll, the Minister for Lands and I will discuss the option of resumption.

Extortion Threat Against Banks

Mr DAVIS: In asking a question of the Minister for Lands, Forestry and Police, I refer to the alleged extortion threat and I ask: When was it made, and when was it brought to the Minister's attention? What is the substance of the threat, and has he referred the threat to the Federal police? If not, why not?

Mr GLASSON: At 9.45 a.m. on Monday the threat was brought to the notice of the Police Department. On a daily basis, discussions have been held between officers of the Police Department and officers of the four banks involved in the extortion threat. As a result of those discussions, at the request of the banks—I emphasise that—the threat was kept on a low-key basis.

At midday yesterday, following discussion in the morning, the banks felt that they should advise their officers of the extortion threat. Even at that stage, one of the banks requested that the release of the information be deferred for another 24 hours; but there was no consensus on that, so the decision was made to break the news at 1 p.m. yesterday.

In relation to the matter of the Federal police—the threat was made not only throughout Queensland but also throughout the Commonwealth. The commissioners and Ministers for Police in the other States have been advised of the threat and its implications. The appropriate action has been taken. Investigations are continuing. The Commonwealth police are now certainly well aware, because the Queensland Commissioner of Police is in conference with them at this very moment.

Racing Development Fund

Mr DAVIS: In asking a question of the Minister for Local Government, Main Roads and Racing, I refer to the claims in racing, Treasury and media circles that the Hielscher report on the Racing Development Fund is an indictment of the Minister, that it should be released immediately, and that it would cause the Minister's resignation. Does the Minister agree with those statements and will he, as he has previously undertaken in this House to do, release that statement, or is he too scared to release it?

Mr SPEAKER: Order! I am sure that the Minister is not too scared.

Mr HINZE: The answer is "No". There is no indictment against me. I am not in a position to release something that is not in my possession. That should answer the honourable member's question.

Beef Exports to Japan

Mr BOOTH: I direct a question to the Premier and Treasurer. What are his views on Australia's share of the meat quota allocation for Australian beef to Japan? Have the Federal Minister for Primary Industry (Mr Kerin) and the Prime Minister (Mr Hawke) effectively handled the negotiations? Have the beef producers of Australia been seriously disadvantaged by a lack of commercial judgment on their part?

Mr BJELKE-PETERSEN: The problem facing the Australian meat industry, and producers in particular, is very serious. It is a problem in which the Commonwealth Government is not particularly interested. In so many ways it has showed its complete lack of support for the man on the land. I refer to its action on water, irrigation, fuel costs and so on.

The Commonwealth's action in sending a junior Minister to Japan to speak on this very important problem disturbs me very greatly. The industry should not have been placed in its present position because of an initial lack of initiative on the part of the Commonwealth. It has waited until the horse has left the stable and then tried to take action.

On the other hand, there is the koala problem. After making promises initially, the Commonwealth Government is now making a lot of excuses. But that is a story for another day.

I regret to say that the Commonwealth Government has been caught out very badly because of its lack of initiative in trying to help primary producers.

Payment in Advance of Unemployment Benefits

Mr BOOTH: I ask the Premier and Treasurer: Is he aware of the comment by the Prime Minister that he favours the payment of full social security payments 12 months in advance to enable unemployed people to adopt a commune style of living? Does he believe that that is a practical solution to the problems of unemployment?

Mr BJELKE-PETERSEN: Recently, the Prime Minister outlined on behalf of the Federal Government an experiment in grouping unemployed people into communes to live the sort of life-style that one sees enjoyed by people living in the ranges in the remote north. He wants to institutionalise the acceptance of unemployment benefits and promote the communal style of living. It is absolutely disgusting and disgraceful that he would even suggest that people live in such a manner.

The Prime Minister indicated also that he is investigating the payment to unemployed people of a full year's unemployment benefits to enable them to set themselves up in communes. If that occurs, he will again be confronted with the fact that the people in such communes will have no money on which to live and will have to pay them further unemployment benefits. The Commonwealth is already paying such benefits at a rate of \$8.5m a day, and that amount will have to be duplicated so that commune dwellers are still able to live.

It is deplorable that such a suggestion is being considered by so-called responsible members of the Government. Nobody wants to live in a commune. People want to live independently and continue the life-style they have always enjoyed. I want to hear the Leader of the Opposition and his colleagues condemn the idea. If they do not, one must obviously conclude that they support the commune system and the payment in advance of unemployment benefits. Obviously, they would like to join in that sort of life-style.

Mr SPEAKER: Order! The time allotted for questions has now expired.

RACING AND BETTING ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 11 April (see p. 2789) on Mr Hinze's motion—

“That the Bill be now read a second time.”

Mr RANDELL (Mirani) (12.14 p.m.): I rise to support this legislation. It contains very good amendments which must improve the position of the racing industry. I want to pay a tribute to the Minister. There is no doubt that everyone recognises the tremendous interest that he has taken in racing.

Mr DEPUTY SPEAKER (Mr Row): Order! Mr Speaker has already outlined his impression of the noise in the Chamber this morning and, seeing that I have now taken the chair, I must convey the same sentiments to honourable members. There is far too much noise in the Chamber. I cannot hear the honourable member for Mirani and, unless the Chamber comes to order, I will take appropriate action.

Mr RANDELL: Thank you, Mr Deputy Speaker. You should keep Opposition members quiet.

Last night the usual old tirade came from the Opposition benches. There is no doubt that Opposition members cannot believe in what they are saying. They must be making speeches in this Chamber for political purposes. There is no doubt that the people in their electorates are benefiting from what the Government is doing. If they went to the race-tracks and talked to the ordinary people they would find that the Minister has the overwhelming support of the people of Queensland.

Opposition members are supposed to be the champions of the working-class people. The Minister is improving the conditions at the race-tracks so that the people who visit them can enjoy themselves. All Queenslanders and all Australians have the right to do that. Anyone who visits the Mackay race-track will see people enjoying themselves.

I pay a tribute to the Minister. When he took over this portfolio the racing industry was dead. There is no risk about that. The industry had fallen to pieces. Race-tracks were down and the controlling bodies had debts on their backs. The Minister took charge. He took the industry by the scruff of the neck, gave it a good shake and put it on the right track. His inspiration, dedication and foresight have got the racing industry to the position in which it finds itself today.

Last night the member for Callide mentioned that the racing conditions in Queensland are the envy of Australia. Certainly I support that. Queensland has good tracks and good facilities. The best horses in the nation are coming to Queensland. Sir Dapper will be coming to Queensland for the winter carnival. New Zealand horses will also be coming here. Queensland has some of the best horses in the nation. Recently, I backed He's A Warrior, which is owned by my colleague the member for Yeronga. He is one of the best horses in Queensland at present. I have no doubt that, if he starts in the Doncaster Handicap, he will give it a good shake.

Mr Lee: I hope that he will win it.

Mr RANDELL: I will certainly have a couple of dollars on him. Queensland also has Lord Medes and that great champion, Strawberry Road. Last year history was made in Queensland when three members of this Chamber started three horses—Lord Medes, He's A Warrior and Sovereign Chief—and won major races in this State

An Honourable Member interjected.

Mr RANDELL: An honourable member asked, “What about Abeyance”? He is also a good horse. They are all good Queensland horses. They have the best of conditions. They will go on to better things.

Mr Casey: If we have such good horses in Queensland, why does the Minister buy in New Zealand?

Mr RANDELL: That is an irrelevant question from the member for Mackay. I can see that he is laughing, so I do not think that I need answer it.

Southern trainers are coming to Queensland in droves trying to establish stables here. They know what is going on in this State. They are coming here to get a piece of the action. That is the proof of what I am saying. Queensland has the biggest racing industry in Australia. One has only to look at the feeding of horses, the insurance for horses, the people who are employed in the stables, in training and in other areas of racing—

Mr FitzGerald: Lucerne-growing.

Mr RANDELL: My colleague the member for Lockyer referred to lucerne-growing. He has an interest in racing.

The best part of it is that this development has not cost the State one cent. The money has come from within the industry.

Mr Prest interjected.

Mr RANDELL: I can hear Opposition members crying because they have nothing to grasp at.

It is a fact that the development has not cost the State one cent. As I say, all the money has come from within the industry. While the development has been taking place, it has made a magnificent contribution to this State.

Mr Veivers interjected.

Mr RANDELL: The Minister has answered questions from the honourable member and forced him to sit down with egg on his face. He will certainly get a little bit more egg on his face before today is over. He should realise that he is batting on a very sticky wicket.

In 1981-82, the contribution from totalisator tax, book-makers' turnover tax, and betting tax amounted to \$27,597,911. In 1982-83, the figure was \$29,759,432, and for 1983-84, it is estimated to be \$33m. More than \$90m has been spent in three years; and that is not peanuts.

My own electorate of Mackay has a strong racing following. Some very good horses are being developed and the Mackay Turf Club has a very good race-track.

Mr Casey: You mean your own electorate.

Mr RANDELL: Yes, that is right, the electorate of Mirani. My electorate caters for the member for Mackay and the people in his electorate. They are taking advantage of the facilities provided at the Mackay Turf Club.

Mr Prest: You don't even know where your railway crossings are.

Mr RANDELL: The member for Port Curtis would be better keeping quiet or I might mention something to embarrass him.

I am sure that the member for Mackay will support my comments about the magnificent buildings at the Ooralea racecourse. I am parochial enough to say that it is the best country track in Queensland. I pay a tribute to the progressive committee of the Mackay Turf Club under the presidency of Dr Kevin Whitehead. It has done a wonderful job. The marvellous conditions at the racecourse have not come about by accident; they are the result of the efforts of many people over many years and I would be unfair if I singled any person out.

The improvements have come about through the funds made available from the Racing Development Fund, under the direction of the Minister for Racing (Mr Hinze). A new covered betting ring has been completed and I had the pleasure and honour of attending the opening ceremony. A big crowd attended and it was a wonderful day. All the facilities are progressively being upgraded. For example, the eating and drinking facilities in the main grandstand have been improved. The office accommodation provided for the stewards has been upgraded and new offices are being provided for the staff. Photo-finish facilities are being constructed and stalls and overnight facilities for horses are being provided. A building to house the tote will be constructed. There is one racing and one trotting meeting each per week and the computer tote operates on them. On opening day, the turf club showed the biggest profit of any country track in Queensland; doubled Toowoomba's, and that is really something.

Racing in the area has been boosted, better horses are coming along and prize-money will improve. The facilities at the racecourse have been improved with grants and loans to the extent of \$600,000 to \$700,000. The trotting club holds its meetings at the track and is presently upgrading its facilities. I know that the Minister will assist in that development. The Mackay Turf Club is also involved with the Northern Winter Racing Carnival.

I will read a letter that was written by the president of the Mackay Turf Club to the editor of "The Courier-Mail". It is indicative of the support that the Minister has in the Mackay area. It is headed "Hinze boon to country racing" and reads—

"A popular pastime seems to be criticism of the Racing Minister, Mr Hinze"

It is a popular pastime with members on the opposite side of the House and if they listen to their constituents they would realise what the average person thinks of Mr Hinze.

The letter goes on—

"Since 1969, I have been associated with four Ministers responsible for racing, and Mr Hinze has been outstanding in his approach and treatment of country racing.

Racing in these areas has grown into a viable industry, with subsequent increases in funds across the board—to the industry in the country and to the Government. Mr Hinze has adopted the old business principle—'you have to spend a dollar to make a dollar'—and in this regard he has been more than successful.

I can assure your readers Mr Hinze has the full support of the Mackay Turf Club—now, and in the future.—K. J. Whitehead, president, Mackay Turf Club."

The Middlemount racecourse complex in my area is starting to get off the ground. It is central to the whole mining region, much of which is in the electorate of Peak Downs. The Middlemount club has plans for a track that will be the envy of many small country towns. I would like to compliment Mr Tom Acton, MBE, and his committee, Mr Geoff Nolan, who has drawn up the plans for the track, the Capricornia Coal Company, the Broadsound Shire Council and many others for their initiative in trying to get the track established. I hope that the Minister can offer help to that complex.

I said that I would speak briefly to the Bill. However, I want to refer to two clauses in particular. The first is clause 3, which states—

"Notwithstanding anything hereinafter contained in this section, the Minister may, upon application by a race club registered by a principal club and after consultation with that principal club, approve in writing that a race meeting be held by the race club making application on a date not allotted to that race club pursuant to subsection (3) if he is satisfied that the whole of the profits from that race meeting are to be applied for a charitable, benevolent, patriotic or special purpose."

That will enable a club to be given a date in addition to those that are allocated to it, and that will benefit many charities. This provision is a wonderful one, and the Minister is to be complimented on its inclusion in the Bill.

In my area, the Wilpeena Park Race Club and the Saltbush Race Club conduct meetings. If the Minister were to pay them a visit, he would see thousands of people come along and give money to charity. Over the years, those clubs have raised thousands of dollars for underprivileged people.

The other clause to which I refer is clause 12, part of which reads as follows—

"The Corporation may engage such consultants and legal and technical advisers as the Corporation considers necessary from time to time to report to the Corporation upon any project in respect of which the advance of moneys from the Fund has been approved pursuant to section 118 and upon the application of the moneys advanced."

It is essential that when money is spent it is spent in the proper manner. The Minister has certainly shown his business acumen. He gets a dollar's worth of work for every dollar that he spends. I commend the Minister for the work that he has had done.

Mr Burns: Go over and kiss him at the end of your speech.

Mr RANDELL: Opposition members act like puppy-dogs. All they do is criticise. I have never heard them say one thing that will benefit Queensland. Continually they know in their own hearts that legislation that is brought forward by this Government

will benefit the people of Queensland, yet they knock that legislation. The kindest thing I can say about them is that they do that only because they consider it politically expedient. If Opposition members took time to listen and to read what is in the Bill, they would know what is going on. It is time that they did that. All over Queensland, people connected with racing, no matter what their political affiliations are, recognise the job that is done by the Minister.

Mr Burns: Is this your maiden speech?

Mr RANDELL: The honourable member for Lytton would be more conversant with a fishing line, for which I commend him. If one day he takes time off from fishing, I will take him out to my electorate.

In the years to come, the Minister will be able to look back with pride on the job that he did during his term of office. Most people recognise that. I commend the legislation. More strength to the Minister!

Mr Prest interjected.

Mr DEPUTY SPEAKER (Mr Row): Order! The honourable member for Port Curtis is interjecting from other than his usual place. I ask him to desist.

Mr R. J. GIBBS (Wolston) (12.28 p.m.): I rise to participate briefly in this debate, but before I refer to this very important Bill I want to make some comments on that machiavellian manipulator and de facto Treasurer of Queensland, the head of the TAB, Sir Edward Lyons.

I am deeply concerned to learn that recently Sir Edward Lyons attended the Australasian racing conference in New Zealand. It is usual for a person who occupies a position such as chairman of the TAB to be required to undertake such a trip. However, I am reliably informed that this trip was undertaken without advice to, or permission from, the Minister for Racing. I am advised also that he did not get permission from Cabinet or from his own Totalisator Administration Board to attend the Australasian racing conference. I am advised that he had his air fares and other expenses paid for by the TAB.

Anyone who reads the requirements pertaining to Queensland statutory bodies, of which the TAB is one, will find that Cabinet approval is needed before chairmen of statutory bodies can undertake trips such as that. I am reliably informed that such permission was not given. This is another example of the blatant abuse of the system that one has come to expect from that gentleman.

It is high time that it was said in this Parliament that many people in this State, including parliamentarians, are far from happy with the role played by the chairman of the TAB, Sir Edward Lyons. It seems to me that most of his time, or a large proportion of it, is spent on his business interests rather than on the welfare and development of the racing industry in Queensland.

I have some comments to make on a number of areas of the racing industry that disturb me greatly. I find it unacceptable that within the legislation, which covers harness-racing, galloping and greyhound-racing, appeals tribunals will be appointed to cover only harness-racing and greyhound-racing. An appeals tribunal will not be appointed to consider applications or appeals from people within the galloping section. Because of the amount of chicanery that has surrounded the racing industry in Queensland in the last 12 months, I am amazed that only the greyhound-racing industry and the harness-racing industry have been selected for coverage by appeals tribunals.

I shall refer to the harness-racing industry in particular. The Minister is intimately involved in harness-racing. At the outset, I make it clear that in no way do I imply by my comments that he is involved improperly. I am disturbed that on Friday night the Minister can attend the Redcliffe trots, or the harness-racing at Albion Park on Saturday night, and stand among people who could be termed professional punters—that is, those persons who receive the good information as distinct from the ordinary members of the public who do not have access to the privileged information that is available on race-courses—and listen to comments made about the driving performances of certain harness-racing drivers. Whether or not the Minister or his advisers care to accept it, it is a fact that at Albion Park in Brisbane, drivers of well-known horses are locking their horses into

positions in which they cannot win after they jump from the mobile or standing start. That is happening frequently in Queensland. It amazes that that can happen in this industry which contributes so much money to the State Treasury coffers, and which is generously supported by gullible members of the public who believe that they will see a fair race.

I have made a similar accusation in this House about the greyhound-racing industry. At one stage I was involved in that industry and I know what happens in it. I repeat the allegations that I made in this Parliament two years ago about its being a crooked industry. At some of the major metropolitan tracks, particularly at Woolloongabba, a person who has the correct contacts in the industry can buy box 1 or box 8 for a dog.

It is unacceptable to me that the allegations I made to this Parliament two years ago were dismissed, or swept under the carpet, and that no investigation was conducted into the information that I gave to the Minister at that time.

We are debating legislation that will establish an appeals tribunal in the greyhound-racing industry. Any person aggrieved by a decision of the racing stewards will be able to appeal to the tribunal. I welcome that decision.

About 18 months ago, Margaret Quarrell was sought out deliberately by people prominent in the greyhound-racing industry because of the allegations that she made and the evidence that she gave before certain people at an in-camera hearing. She was finally acquitted of charges that had been laid, and the suspension placed on her training activities was lifted.

In the first place, it was a set-up. It disturbed me at the time that there was no appeals tribunal to which she could take her case. I welcome the proposed establishment of an appeals tribunal within the greyhound-racing industry and the harness-racing industry as well, because chicanery is taking place within the harness-racing industry. It worries me that, with that sort of chicanery, people may not receive a fair deal if charges are made. Therefore, I welcome the establishment of such an appeals tribunal.

However, if there is to be an appeals tribunal for harness-racing and greyhounds, why is the Government not legislating to make it compulsory for the appointment of an appeals tribunal to which aggrieved people may go in the galloping industry? Regardless of the supposed security measures at Doomben and Eagle Farm, it is a well-known fact that it is still quite easy to nobble a horse on race days. Many of my colleagues, not only my colleagues in the Parliament but also owners and trainers in my electorate, tell me it is still the easiest thing in the world to walk up and pat a horse at a race-track on Saturday and put a bomb in its mouth. There is virtually no supervision. These days, it is not necessary to put a bomb in a horse's mouth. Sophisticated ointments can be concealed on the fingertips and placed on a horse when patting it. They are absorbed through the pores, enter the horse's circulatory system and dramatically affect its performance on the track.

Things such as that are happening. The Minister does not have to take my word for it or the word of the people who relayed that information to me. I refer the House to recent happenings on the race-track and to the incident a few days ago when a trainer was found burnt to death in his car, allegedly because of his failure to fix a horse at a race in Brisbane recently.

It disturbs me that the Government is not establishing an appeals tribunal for the galloping industry. It disturbs me that, regardless of the allegations constantly made in the media, in Parliament or by individuals in the community, no decisive action is being taken by the Government to undertake a major inquiry.

I now comment on the book-makers turnover tax and the TAB tax, which in this 12 months will total almost \$30m. I tie that in with the fact that the Bundamba race-track, which borders my own electorate, has recently received quite generous assistance from the Government. I compliment the Minister on that. The people of Ipswich are very grateful. A new training track has been established. Although I have not been there for quite some time, I understand that a new grandstand will be commenced in the future. Other major improvements in facilities will be available to punters on race days. They are all very welcome.

The majority of people who attend race meetings, whether in Ipswich or in Brisbane, have either an intimate involvement or more than a passing involvement in other forms of sport. I find it unacceptable, to say the least, that when \$30m has been put into Treasury coffers in the last 12 months, none of it is being directed to other sports in Queensland.

Junior sports in Queensland are in an absolutely parlous financial state. They have very little or no money. Junior sportsmen and amateur sportsmen in this supposedly rich State in which we live are looking for assistance to attend such events as the Olympic Games or the Paraplegic Games. In the last couple of days it was revealed that sportsmen wishing to go to the Amputees Games still have not been given financial assistance by the Government. It is absolutely deplorable that, when in 12 months \$30m goes into Government coffers from this very generous industry, none can be found for other sporting organisations in this State.

I am one of those who believe that the book-makers tax in this State is far too high. The racing industry in Australia is unique in that Australia is the only country that still has book-makers on course. If a survey was undertaken on a race-track on race days, or even in the community, it would reveal that punters would rather bet with a book-maker than use TAB facilities. I notice that the honourable member for Yeronga is nodding his head in agreement, and he is very prominent in the racing industry. When a punter has a winning bet, he prefers to be able to walk up to the book-maker's stand and feel as though he has personally taken his money from an adversary. That cannot be done at a TAB facility.

I do not knock TAB facilities, which are needed. All I am saying is that the Government is screwing book-makers to such a degree that they will be driven off the course. My belief is that it is a very insidious plan by the Minister's master, Sir Edward Lyons, that statesman of the TAB, to destroy book-makers in this State and to have the TAB control the entire racing industry. That notion is absolutely unacceptable to me.

Mr Lee: You are wrong. He is not the Minister's master.

Mr R. J. GIBBS: I accept the interjection from the honourable member. It would be an absolute disaster if book-makers were taken off the course.

Mr Lee: I said that he is not the Minister's master.

Mr R. J. GIBBS: I do not know whether he is his master; but, regrettably, that is the impression I get. It is well known round town that it is Sir Edward Lyons who is pouring the buckets on the Minister. Whether it be at races at the Gold Coast, Brisbane, Ipswich, or in any other area of this State, Sir Edward Lyons is in cahoots with certain people in the industry because he does not seem to like what the Minister is doing.

Mr Warburton: I thought they were good mates.

Mr R. J. GIBBS: I do not know whether they are good mates. Perhaps the Minister could answer that in his reply.

It is time that much of the tax money derived from racing was diverted into other forms of sport in the State. Queensland presently suffers from a shortage of champions in certain sports. I certainly do not include swimming in that. However, in the field of athletics, although many athletes such as Paul Narracott and Michael Hillardt, who recently beat Steve Ovett, are well-performed, many other people need encouragement. The fact is that because of a lack of Government funding, amateur sport in this State is suffering miserably, especially in comparison with overseas countries in which sporting champions are treated in the proper way. They are given scholarships to ensure that they enjoy a reasonable standard of living and that they are compensated properly for not being able to devote sufficient time to their studies. Let us face it, if one wants to be a champion at athletics, football, swimming or any other sport, one is required to put a great deal of time into that sport. Consequently, something suffers. It would be admirable if this State's sportsmen could be assisted in that way and if champions could be looked after when their sporting days are finished, by being given jobs as coaches or advisers in Government institutions or in other sporting facilities within the community. Because a great deal of the money from the racing industry that goes into the Treasury comes from people with very diversified interests—they are not interested only in racing—it is high time that the Minister considered putting some of that money back into the community.

I have made the basic comments that I wished to make, but I reiterate that I am am disturbed by what is happening in the running of the TAB in this State. The Government should give very serious consideration to the activities of Sir Edward Lyons. Quite frankly, I certainly hope that when a Labor Government is elected at the next election, the days of Sir Edward Lyons will be numbered.

Mr De LACY (Cairns) (12.45 p.m.): It gives me pleasure to join the debate. Because I am aware of the time constraints on the House I will be brief. This Bill deals with a subject that is very dear to the hearts of many Queenslanders and, I might add, dear to their pockets. It is coincidental that while this Bill was being debated yesterday I picked up a copy of "The Cairns Post" and saw an article headed "Cannon Park to receive a \$800,000 face lift". I was pleased to read that, although to a certain extent it stole my thunder. I had intended to rant and rave a little about the fact that most of the money from the Racing Development Fund seemed to be going to Albion Park, Doomben and other metropolitan courses rather than to the north. So I say to the Minister that I very much appreciate that this money has been made available. I compliment him on his action. I think he said something about it earlier this year, but I had seen no evidence of it.

One point I want to raise is that the article read—

"The Cairns Jockey Club is set to receive a \$800,000 advance..."

Later on it said—

"The grant has been made to the trustees of the Cairns Jockey Club..."

Referring to an announcement by the member for Barron River, it said—

"When releasing details of the Cairns Jockey Club's loan from his Brisbane office yesterday..."

Is it a loan, a grant or an advance?

Mr Hinze: This is the Cairns Jockey Club?

Mr De LACY: Yes.

Mr Hinze: A grant.

Mr De LACY: I appreciate that, and I compliment the Minister for it. I will accept the Minister's assurance that the club has received a grant, because there is an impression that some grants may not be forthcoming.

This debate so far has put into very clear perspective what the Bill is all about. It was introduced by a Minister who was referred to by the member for Yeronga as being the most famous horse-breeder or thoroughbred-owner in Australia. Two of the three people who spoke on behalf of the Government are well-known breeders and horse-owners. I do not know whether Jimmy Randell has horses.

Mr Davis: He's got a chihuahua.

Mr De LACY: I accept the honourable member's assurance.

The two honourable members to whom I referred spoke of the Minister in glowing terms. That demonstrates that he is doing a great job for racehorse-owners. He should be called not the Minister for Racing but the Minister for racehorse-owners.

Mr Hinze: And punters.

Mr De LACY: I am coming to that. I want to talk about the punters in Cairns who are not getting a good deal.

The punters are the forgotten people when it comes to the administration of the TAB. During the debate yesterday Government members were interjecting because they took great exception to the suggestion that some of the profits generated by the racing industry should go to other areas, particularly other areas of sport. But I ask: What is the racing industry and where does the money come from? It comes from the punters—nowhere else.

Obviously this great sport would not exist and there would be no punters unless there were tracks and horses, but by the same token there would be no races, racehorses or this great sport of kings if the punter was not, with great regularity, putting his hand into his pocket to support it. I can see that the Minister agrees with that statement. Yesterday he challenged Opposition members to tell him the objectives of the TAB. I would like him to explain the objectives to me. I would have thought that they were to provide facilities and services for the punters—at least in a large part. I am talking about punters in country areas, particularly the ones who use TAB services. Let us face it, that is where most punters do their betting. These days a great many people never get to the track.

Mr Davis: They can't afford the bus fares.

Mr De LACY: That is right. We will have to get on to the Minister for Main Roads to see whether he can make any money available.

The TAB has become very efficient, not at providing services for the punter, but at providing new ways to rip him off. That adds credence to the claims of Opposition members that the Racing Development Fund is in trouble and needs financial assistance.

I have the great pleasure and honour of sitting beside the member for Ashgrove. He has been concerned about this matter for some time. When this debate began, I had an open mind on this question but, as the debate has ensued, it has become apparent to me that there are great problems and something bordering on a scandal with the Racing Development Fund.

From what I have heard, the only way in which the Minister can prove that there is nothing wrong is to table the Hielscher report. He has been asked on a number of occasions to do that. My reading of "Hansard" seems to indicate that he was prepared to table every document that related to the Racing Development Fund. The Hielscher report has not been tabled. I suggest that his reluctance to table that document is condemning the Minister. I have heard on fairly good authority that, if he does table that document, he will also be condemned.

The member for Woodridge very succinctly put the case last night. He said that \$58m has been committed by the Racing Development Fund. Last year, less than \$4m was made available to the Racing Development Fund through the disbursement of moneys from the TAB. Even the most economically illiterate person could work out that \$4m would not pay half the interest on \$58m, let alone any of the redemption. The answer to that simple question is needed.

The TAB is ripping off the punter or endeavouring to get more and more money from him. The evidence indicates that the TAB has done that very successfully in recent years. The member for Woodridge said that, two years ago, the profit from the TAB was \$5.77m. The year before last it was \$12m, and last year it was \$18.5m. If the profits continue to increase at that rate, the Minister will eventually pay off the commitments of the Racing Development Fund. However, I am led to believe that the increase in profits from the TAB is about to top out. The large increase has occurred because of the introduction of computerised betting.

Now that it has been predicted that the TAB will not increase its profits, it has introduced new betting systems to try to drag the last drop of blood out of the poor old punter. For quite some time the TAB has provided for win and place betting, and also for doubles, trebles, feature doubles, feature trebles, quinellas, quadrellas, trifectas, and extra trifectas. Now it intends to introduce a 6 pic. I do not think that punters requested that form of betting. It is just another way in which to get the punter to put his hand into his pocket.

One of the problems with racing in this State is that the TAB operates six days a week. The Minister might say that that is providing a service for the punter. What it is doing is trapping him in his gambling habit and ensuring that he never gets out of it. It is also causing country newspapers a lot of problems in providing information for the hooked punter.

Recently, a article in "The Cairns Post" pointed out that regional dailies were becoming upset at the amount of space required to provide information for the punter for the large number of race-meetings that are held. Yesterday, in "The Courier-Mail", I saw TAB results for Newcastle, Hamilton, Harold Park, Lawnton, Warragul, Wangaratta and Beenleigh. The TAB also covers race-meetings at Quirindi, Mudgee and Warracknabeal. I challenge the most assiduous punter to state where those towns are, let alone to name a single horse that is running on the tracks in them. The TAB has not introduced these betting systems for the benefit of the punter. It has introduced them to continue to take the money from the punter and to ensure that he has nothing left at the end of the week.

The other evidence that indicates that the TAB is still after the punter is that the minimum bet has been increased to \$1. I note now that dividends for doubles and trebles are paid on the basis of a \$1 investment. It is perfectly obvious that the next step is to make \$1 the minimum bet on a double. That is not in the best interests of those punters who do not have much to spend.

The Government does not provide the kind of services wanted by punters in country areas. In my part of the world, radio coverage of mid-week races is not available. On the week-end, the only coverage is provided by the ABC and, although I believe it is a good service, many people would like the coverage provided by the commercial station 4BC.

It is three years since mid-week coverage has been available in Cairns. One of the reasons for that could be that races are held every day in some parts of Australia and radio stations cannot cater for punters only. However, every time the Minister has been to Cairns he has promised the punters that mid-week broadcasts will be made available. But they have not eventuated. I realise that the Minister has made the 4BC land-line available but the local radio stations are not prepared to broadcast races free of charge. They maintain that more than 50 per cent of their listeners do not want such broadcasts. If I had more time, I would elaborate on that, but I must say that increased coverage is but a pious hope. The chairman of the TAB (Sir Edward Lyons) said in his report that it is to be hoped that regional coverage will be widened further in the future so that an effective and efficient broadcast service will be available to people who invest on the TAB. That is what punters in my electorate do not have.

In conclusion—I hope that the Minister will address himself to this problem. The Bill is aimed at assisting racehorse owners and others involved in the industry. However, the punter will not benefit from it; in fact he will be discriminated against.

Hon. R. J. HINZE (South Coast—Minister for Local Government, Main Roads and Racing) (12.57 p.m.), in reply: During the course of the debate on this Bill the House has been subjected to a number of allegations and unsubstantiated statements launched by the Opposition, which finds itself in the embarrassing position of trying to attack developments in the racing industry that are being welcomed by the majority of people in Queensland.

The member for Sandgate (Mr Warburton) raised doubts as to the validity of the documents that I tabled in relation to the financial position of the Racing Development Fund. Part of his electorate is, of course, heavily involved in the racing industry. I can only suggest that, if he fully examines these documents, he will see that all of the statements that I have made are, in fact, totally correct.

The honourable member obviously finds it difficult to distinguish between projects that have been formally approved and those that are in the planning stage and will come up for consideration at an appropriate time. At this stage, regard will be had to the number of clubs applying for financial assistance and the amount of money available in the Racing Development Fund for allocation.

The honourable member for Sandgate also referred to the alleged intention of this legislation to give the Racing Development Corporation control over TAB funds. That is not an accurate account of the situation, because any decision to make funds available in the future will be completely at the discretion of the board. All this Bill does is make it possible for the board to forgive existing loans and make grants, if it so decides.

The honourable member stated that he does not object to additional funds being obtained from the TAB, but he challenges the methods being used to obtain those funds. It seems to me to be irrelevant how the funds are obtained as long as they are lawfully obtained. The fact is that they are to be made available for use in the racing industry.

The honourable member for Yeronga indicated that he proposed to make a comment at the Committee stage concerning the meaning of the term "special purpose" as used in connection with the powers of the Minister to approve additional race days. Let me state now, in anticipation of that comment, that the meaning of the term is by no means as wide as may be thought. In my view it will be restricted to purposes of a like nature to those already referred to in the particular clauses; that is, charitable, benevolent and patriotic purposes.

The honourable member for Ashgrove (Mr Veivers) referred at length to the position of the Racing Development Fund and concluded, along with a number of his colleagues, that the fund was overcommitted. I draw his attention to the documents that I tabled. They clearly indicate that this is not the case.

[Sitting suspended from 1 to 2.15 p.m.]

Mr HINZE: Figures available to me show that, since 1978-79, the racing industry has provided consolidated revenue with nearly \$150m.

Since I became responsible for the administration of the Racing and Betting Act, not one cent of the racing industry's return of over \$90m to consolidated revenue has been paid back to the racing industry.

The honourable member for Ashgrove should bear these facts in mind when he talks about funds from racing for other sports. No doubt some of the \$90m provided to consolidated revenue by the racing industry during the three years in which I have been Minister has, in fact, been channelled not only to hospitals, schools and the like but also to sporting institutions through the Government's generous subsidy schemes.

The honourable member for Woodridge (Mr D'Arcy) surprised me by calling for the tabling of what he has referred to as the Hielscher report. The document to which he refers is, in fact, a Treasury report, and it would not be within my province to table it.

The honourable member criticised the construction of the Caloundra race-track. It is a fact that there have been some contractual problems in relation to this project, but I understand that construction is now under way under the control of the club and that the project will be quickly brought to fruition to provide an excellent racing venue in a developing area that is crying out for such a facility. I cannot understand why the Labor Opposition opposes such development.

Mr Warburton: Another Flemington.

Mr HINZE: The honourable member for Landsborough would be very pleased to hear the Deputy Leader of the Opposition say that, because the track is in the Landsborough electorate. Recently I was in the south trying to encourage racing people to come to Queensland for the winter carnival. They all expressed an interest in this development.

Mr Warburton: The only problem is that there will not be any horses.

Mr HINZE: I would not say that. There will be plenty of horses.

The honourable member for Woodridge referred to TAB profit as tax-payers' money. That is not correct. Federal income tax has already been paid by an investor in respect of any money that he may decide to invest on the TAB, and the State tax of from 5 to 5.5 per cent—depending on the type of investment—has already been deducted and paid to consolidated revenue before the profit of the TAB is determined.

TAB profit is, in fact, racing-industry-generated funds that rightly deserve to go back to the racing industry. That concept has always been the case, and all of these profits will continue to be put back into the racing industry through the TAB and the Racing Development Fund. Surely the Opposition cannot wish for anything fairer than that.

The honourable member for Wolston made the remarkable claim that harness-racing and greyhound-racing are, to use his word, "crooked".

Let me point out that the control bodies in both of those areas of the racing industry comprise responsible people, including, in the case of the Greyhound Board, former leader of Her Majesty's Opposition in this State and colleague, Jack Houston.

It is the responsibility of those bodies to ensure the smooth conduct of racing. I note the honourable member's support for the concept of the new Racing Appeals Tribunal.

The honourable member for Cairns requested that the so-called Hielscher report be tabled. This matter has been raised constantly by Opposition members. I have already furnished what I consider to be a satisfactory reply.

Motion (Mr Hinze) agreed to.

Committee

Mr Booth (Warwick) in the chair; Hon. R. J. Hinze (South Coast—Minister for Local Government, Main Roads and Racing) in charge of the Bill.

Clauses 1 to 15, as read, agreed to.

Clause 16—New Division IIIA, Part III—

Mr WARBURTON (2.19 p.m.): Clause 16 deals with the Racing Appeals Tribunal. The Minister should answer the question which is on everybody's lips and which I am about to put to him. It is clear an appeals tribunal will be established for greyhound-racing

and harness-racing, but not for the sport of kings. That seems strange. In the past, difficulties have been experienced with the decisions of the stewards. Stewards are employed by clubs and associations. It seems passing strange that an appeals tribunal will be established for two codes of racing but it is obvious that a political decision has been made and that no appeals tribunal will be established for horse-racing. I ask the Minister to tell me the reason for that.

Mr DAVIS: I endorse the remarks made by the member for Sandgate. As soon as the Bill was introduced, the question was asked, "Why?" The TAB disburses 70 per cent of its profits to the racing industry because it receives 70 per cent of its revenue from gambling on horse-racing. The Opposition wants to know why it is intended to protect the interests of the principal club. Although an appeals tribunal is set up for the greyhound-racing industry and the harness-racing industry, why is the most important industry, the one that produces 70 per cent of TAB revenue, has 70 per cent of the horses and has 70 per cent of the owners, excluded? It is a multimillion dollar industry. There is no reference in the Bill to an appeals tribunal for the racing industry. Recently the Minister stated by way of interjection that the racing industry never asked for an appeals tribunal. For years I have heard rumblings in the racing industry. Victoria and other States are beginning to establish appeals bodies. The member for Port Curtis recently referred to the questions regarding doping and low prices. There are still many problems in the galloping industry. As a punter, I appreciate the way in which the Minister has injected money into the industry. From the owner's point of view, the book-maker's point of view and the licensee's point of view, I ask: Why is special preference given in the Brisbane area to the principal clubs, such as the QTC?

The Minister knows that a few months ago there was a problem with a steward from the Downs and South Western Racing Association. Perhaps the Minister would be good enough to tell me what expertise will be required by a member of the tribunal that will be established. Will a representative of the harness-racing industry and a representative of the greyhound-racing industry be appointed to the appeals tribunal? I would like to know the make-up of those tribunals. Most importantly, I ask: Why has special treatment been given to the galloping industry?

Mr LEE: Proposed section 115B states—

"Racing Appeals Tribunal. (1) For the purposes of this Act there is hereby established an appeal tribunal to be known as the Racing Appeals Tribunal."

I ask why it is called a racing tribunal. As the greyhound-racing and harness-racing industries were the only bodies that asked for the establishment of such a tribunal, why is it not called the "Harness-racing and Greyhound-racing Tribunal"? I ask the Minister to assure me that this is not the first leg in to establish a tribunal for the horse-racing industry.

Mr HINZE: There are two for and one against. The simple answer is that the Harness Racing Board requested that the Government introduce legislation to establish a tribunal. I have been waiting for that request for some considerable time. The greyhound board came in behind the request of the Harness Racing Board.

For many years, the Government has recognised the QTC as the principal club for the thoroughbred industry. It has very strong objection to any sort of tribunal. It believes that the system that operates now is satisfactory. Apart from the few recent scares—and they worry me as much as they worry everybody else in the Committee—it would have to be admitted that racing in Queensland has been comparatively clean. I am not singling out the thoroughbred section and saying, "They can look after themselves forever." If the introduction of the tribunal in the other spheres of racing proves to be very satisfactory, at some time the QTC might ask to be included. That would be the reason for the inclusion of the broad term "racing".

Mr Davis: There is a racing association for the south west, and you know they've been unhappy.

Mr HINZE: The member for Brisbane Central knows as well as I do that the QTC is the principal club and speaks for all galloping clubs in Queensland. The Government does not want to be seen to intrude too far. It has moved as far as it wants to at this

stage. That should answer the questions that have been asked. I think it also answers the member for Yeronga. Until the principal club requests it, it is not intended to impose a tribunal on the galloping section—the thoroughbred section.

I was asked about the personnel on the tribunal. I have in mind one person well versed in the greyhound section, one well versed in the harness section and a legal person. The person I have in mind will, I am sure, be very acceptable to both the harness and greyhound sections.

I am very pleased to see the member for Stafford in the Committee.

Mr PREST: The Minister for Racing has not answered the question to the satisfaction of the Opposition. It worries me when he says that the tribunal is being established at the request of the coursing and trotting sections but that there has been no request from gallopers. He has not stated what reasons—and they must have been very strong ones—were put forward to cause him to make such a decision. I would be very interested to hear what convinced him that a tribunal would do a far better job than stewards making a decision and owners or others involved having a right to go to court. Under the Bill, the decision of the tribunal is final; all parties must accept it.

Another thing that worries me is the Minister's recent statement about the composition of the tribunal. With representatives from the trotting fraternity and the coursing fraternity sitting on the tribunal with a legal person, it really means that a decision will be made by the legal person and the appropriate racing representative. The other one might as well not be there. People in the coursing industry are not conversant with the problems of the trotting industry; those in coursing or trotting would not have any knowledge of galloping. They are three entirely different sections of the racing industry and should be treated as such. I do not see how a tribunal on which there was a representative of a coursing club could make a decision on trotting, or vice versa.

Mr DAVIS: The Minister's answer to the Opposition's suggestion for the tribunal to deal with the gallopers shows that he does not know how the operation works. I didn't simply mention the QTC as the principal club; I mentioned the principal clubs operating in the various areas such as on the Darling Downs and the south-west.

Mr Hinze: There have been no requests from them.

Mr DAVIS: Of course they have not made requests.

From general discussion over the years with the Minister, I know he has wanted an appeal board for the trotting industry. The Minister is simply getting his own way. I support the idea of an appeal board for both the greyhound and trotting industries. However, at the same time, the Minister is letting the gallopers off the hook. The Minister knows that problems have occurred with the Darling Downs and South Western Racing Associations, as well as with the body in Townsville. The Labor Party is dead set against a racing club being the principal club because different interests are involved. For the Minister to stand in this Chamber and say that the clubs have not asked for it is not good enough. The fact is that those interested in racing want a further appeal board.

Mr HINZE: The honourable member for Port Curtis asked about the differentiation. I simply say that I do not believe in appeals from Caesar unto Caesar. To a degree the Government has refrained from intruding into the galloping section of racing. Because that part of the industry has conducted racing in this State for over 100 years, it is not for the Government to intrude until it is requested. Obviously that part of the industry will be watching the appeals tribunal to see whether it functions. Undoubtedly, if it is better than the present system, that part of the industry will make representations to the Government.

Mr PREST: I ask the Minister: Will the members of the tribunal have a pecuniary interest in coursing or trotting? I do not question the integrity of the Minister, who will make the appointments to the tribunal. However, people in the community must be able to see that the Minister does not appoint somebody with a pecuniary interest in the industry. They must be able to see that everything is fair and above board.

Mr HINZE: I give the assurance that the people whom I have in mind certainly will have no pecuniary interest but they will be well accepted by the harness-racing and greyhound sections of the industry. They certainly will not be involved in the industry.

Mr LEE: I thank the Minister for his assurance that the tribunal will not become involved with galloping until such time as the clubs make a request. A rumour that has been circulating is that the tribunal is being set up to force racing clubs to conduct quarter-horse racing in the metropolitan area. Will the Minister either confirm or deny that rumour?

Mr HINZE: The Government has no intention of trying to inflict quarter-horse racing into the thoroughbred section of the industry in the city of Brisbane.

Clause 16, as read, agreed to.

The TEMPORARY CHAIRMAN (Mr Booth): Order! Before I proceed, I ask for silence in the Chamber. The clauses are being keenly debated and honourable members need to be able to hear.

(Debate interrupted.)

DISTINGUISHED VISITOR

Senator Martin

The TEMPORARY CHAIRMAN (Mr Booth): Honourable members, I take the opportunity of acknowledging the presence in the Distinguished Visitors' Gallery of Senator Martin, and I extend to her a warm welcome.

RACING AND BETTING ACT AMENDMENT BILL

Committee—Resumption of Debate

Clause 17—New s. 120; Variation of terms and conditions of loans—

Mr INNES (2.35 p.m.): I rise to deal with only one aspect of this clause which provides for a new section 120, which is related to new section 119. I wish to raise two principles. Firstly, the clause would appear to say that a loan agreement may be altered unilaterally, that is, by one party only. That could obviously involve increases in interest rates or the acceleration of loan repayments. That would not be customary. I have spoken to the Minister privately, and I understand that that is not the intention.

It is also stated that there could be retrospective effect. Again that raises the principle that no retrospectivity should operate if it is to be unilateral and imposed upon somebody. I ask the Minister for an assurance that what is proposed here is only to be with the consent of parties to loan agreements, understandings, undertakings or whatever operates at the moment, and that there will be no retrospectivity of a type which imposes upon a reluctant party something to which he does not agree.

Mr VEIVERS: Has this new section been introduced to validate or legalise something? I am not happy about the retrospective aspect. It seems to me that whatever has happened in the past may not have been legal. I would like the Minister to briefly explain the reason for the introduction of the new section.

Mr PREST: Will the variation to the terms and conditions of these loans have any advantageous or disadvantageous effect on those clubs to which the Minister has made promises in the past? I asked a question in the second-reading debate about the Gladstone Turf Club, but the Minister failed to answer me in his summing-up. Will the new section have any detrimental effect on the promise the Minister has made?

Mr HINZE: I will reply first to the member for Sherwood. The section referring to the variation of conditions of loans is to provide legislative sanction to a Cabinet decision made in November 1981 that existing loans to the racing industry need to be repaid. The retrospectivity provision is inserted to ensure that such decision by Order in Council applies to the date initially involved so that the industry does not have to repay those debts since the proclamation of the Racing and Betting Act on 1 July 1981. I give the honourable member an assurance that the retrospectivity provision has not been inserted to take control of a TAB decision and render that decision useless to the extent that the Government has, retrospectively, altered its decision.

The honourable member for Ashgrove requested a reason for the introduction of the new section. Clause 17 provides that the terms and conditions of any advance made to any person from the Racing Development Fund, or from the previous Racecourse

Development and Assistance Fund, established and maintained under the present Act, may be varied by Order in Council if the Order in Council so provides that any such variation effected may have retrospective effect. Cabinet previously approved that all loans made to race clubs and current at the date of the coming into force of the present Racing and Betting Act on 1 July 1981 should be converted into non-repayable advances, subject to a condition that they would only be repayable if the particular race club in respect of which the loan had been granted failed to continue to operate in an appropriate manner.

At the same time, the interest payable on the loans was reduced to nil, and that variation in interest was effected by approval of the Governor in Council in accordance with the relevant provisions of the Racing and Betting Act. There is doubt, however, whether there was any authority in law to approve that repayment of the principal of the loans granted need not be made, and, accordingly, the Bill makes appropriate provision in that regard.

Where a loan of the nature referred to had been made available to a local authority by way of the sale of debentures pursuant to the provisions of the Local Government Act, the Bill provides that, if necessary, the debentures shall be cancelled and fresh debentures issued upon the varied terms and conditions.

The member for Port Curtis need not worry about the Gladstone race-track. As he is aware, the area in which it is proposed to undertake work to the value of \$1.75m is peculiar. It is a salt-pan. I inspected the site. It is a very bad site, but it is in the town and people want their race-tracks in town. If a grassy area had been available outside the town, a race-track would have been built there by now. The Government has made the commitment that it will undertake the work, and it does not back away from that commitment. I would like to see the work going on now. The cost of the work today is \$1.75m. Tomorrow, the figure will probably be greater. I assure the member for Gladstone that it is not the Government's intention to avoid carrying out work in that area.

Clause 17, as read, agreed to.

Clauses 18 to 20, as read, agreed to.

Clause 21—Amendment of s. 189; Functions, powers and duties of Totalisator Board—

Mr WARBURTON (2.43 p.m.): We now come to the crunch. The Opposition has been at variance with the Minister for some time. The documents that the Minister tabled yesterday before I spoke in the second-reading debate are important to this debate. I must admit that they are more revealing than I expected, although I still maintain that the Hielscher report—we labelled it in that way so that it could be identified easily—is required to allow us to make a proper assessment of the Racing Development Fund. It seems to me that the information that we have shows that we were right and that the Minister and the Cabinet have been careless with public funds. Even after scrutinising the documents, I have to agree with the comments made by some of my colleagues. Unfortunately, the Minister has misled the Parliament and the public of Queensland.

During the debate, it has been stated that the Minister for Racing is the envy of racing Ministers in the other States for what he has been able to achieve in providing facilities.

Mr Lee: Do you deny that?

Mr WARBURTON: I do not intend to deny it. Of course he is the envy of other Racing Ministers. What the other Racing Ministers are indicating is that they would like the same unfettered access to the public purse as the Queensland Minister for Racing has. That is the difference between the Opposition and the Government. The Opposition believes that enough is enough, and I said that yesterday.

When the Minister introduced the original racing and betting legislation, I supported the proposition that more money should go into the Racing Development Fund. Prior to the introduction of the Bill, I advocated that more money should be made available to that fund.

Because of his undoubted ability to pull the wool over the eyes of his ministerial colleagues, the Racing Minister can get his hands on funds of enormous magnitude. I give him credit for that. The Minister plays his ministerial colleagues off a break.

The Opposition believes that the Minister's refusal to table the Hielscher report is evidence that something is wrong, and the involvement of the Premier and Treasurer in this matter is to his detriment.

The total commitment to the fund is \$78.5m, which includes the approved commitment of \$58.6m, so the non-approved commitment amounts to approximately \$20m. Projects initially costed at \$15.5m are already in the pipeline. Approval has been given by Executive Council for \$58.6m. In the light of those figures, it is no wonder that the Premier, in his capacity as Treasurer, refused to respond to questions asked by Opposition members about the fund. Every Minister is responsible for the commitment because, as the Executive Council, they gave approval. That explains why, when the Premier was reminded that he and his Ministers were as much part of the scene as the Minister for Racing, he had no criticism.

It can be seen from the documents tabled that, for the years 1983-1984 to 1987-88 the Racing Development Fund is overcommitted unless an extra \$16m comes from the TAB. That is the point that the Opposition has consistently made—unless the Minister is successful, as he obviously will be, in extracting a further \$16m from the Totalisator Administration Board, the fund is overcommitted. The documents tabled illustrate how dependent the fund will be on the TAB hand-outs of \$4m over the three years to 1985-1986 and a further \$2m for each of the following years to 1987-1988. In other words, to meet interest and redemption payments, the additional moneys from the TAB are absolutely essential. The Minister for Racing has emphatically denied that the fund is overcommitted, but the documents tabled by him prove that it is. The only thing that will save him in this respect is if he can get the Totalisator Administration Board to assure him of the additional finance. That depends on the passing of this legislation and the Minister's ability to get the numbers on the TAB, and there is little doubt about that.

It is important to note that most interest and redemption payments are made over a period of 10 years. It is sufficient to say that, although it is reasonable to show the scale of estimated income, a good deal will depend on whether the projected income is obtained and on whether the estimated interest rate escalates. I refer to the documents that the Minister tabled yesterday. They contain a good deal of hypothetical data.

I do not intend to put forward what amounts to a hypothetical proposition concerning the projected or estimated income of the fund. However, I gain satisfaction from the knowledge that the Opposition has been proved to be correct in its claims of overcommitment of the Racing Development Fund. Previously I had not committed myself publicly to any claim that Minister misled this House. I am now prepared to do so. Unless the Minister obtains the additional TAB funds, which this clause will allow him to obtain, that will be the case.

Earlier I said that Opposition members agree that the Racing Development Fund should be funded only by the means that are firmly established by the Act. Section 116 could be amended. The Act clearly lays down the means by which the Racing Development Fund is funded. I support that concept, as I did earlier. Opposition members would give serious consideration to any proposal to amend section 116 if it is suggested that, because of increased revenue into the TAB, additional funds are needed. However, the Minister has set out to achieve what he wants in a deceptive manner, and that is wrong. Opposition members certainly will not support such a proposal.

Mr VEIVERS: The Minister's statements and answers to questions that Opposition members have asked him consistently concerning this matter certainly have not satisfied me. I support the Deputy Leader of the Opposition in his claim that the Minister misled Parliament. Last night, in the second-reading debate, I referred to the Minister's answer in which he stated emphatically that the Racing Development Fund was not overcommitted. I am not talking about the fund as it stands; I am referring to the financial arrangements under which those commitments will be made.

This clause clearly states—

“ the Totalisator Board may grant to the Racing Development Corporation by way of gift or forgiveness of loans made pursuant to subsection (6A) ”

That provision virtually proves that the funding arrangement for the Racing Development Corporation and the Racing Development Fund was such that the fund was overcommitted. If honourable members need any proof of that, there they have it. This

measure is designed to get the Minister out of a hole. There is no doubt that it is needed to bail him out of trouble. It is quite obvious that he has embarked on a spending spree. The figures that were tabled by the Minister indicate that.

Substantial sums of money are involved. For example, the Gold Coast Turf Club received \$1.85m in addition to what apparently was \$2m in 1981, which was completely forgiven. I should imagine that the vast majority of amounts that were approved by Executive Council will now be grants.

The total amount in the case of the Gold Coast Turf Club will be almost \$4m. The substantial amount of \$4.5m is involved in the case of the Sunshine Coast Turf Club. That was referred to at length last night by my colleague the member for Woodridge. I have no doubt that the funding arrangements have certainly been over-committed. It has caused a great deal of concern. I can only repeat what I said last night. The fact that the Minister has delayed tabling any information and as he failed to answer any of the Opposition's questions has proved to the public and to me that there has been trouble. The Minister was foolish not to say something about it earlier.

Mr HINZE: I should say to the member for Ashgrove that there are none so dumb as those who do not wish to see. Even if the honourable member wished to see, it would not be possible for him to find anybody quite so dumb; in fact I suggest that he will be a very short-term member. He will probably go back to cricket; it would be made easier for him. He might learn something about it if he went back a second time.

Mr VEIVERS: I rise to a point of order. I take exception to those remarks. I am glad to be singled out as the only dumb member of the Opposition, because there has been a lot of substantial support, from my point of view—

The TEMPORARY CHAIRMAN (Mr Booth): Order! There is no point of order. I ask the honourable member to resume his seat.

Mr HINZE: He could not even play cricket.

I thank the honourable member for Sandgate for making a contribution on behalf of the Opposition. It makes me answer further the question asked by the Opposition about funding. I repeat that the fund has never been overcommitted. I have not misled the House. I have been a Minister for far too long to do anything as stupid as mislead the House. I make the point that the banks that lend the money have legal advisers. When those banks are lending funds of the order of \$10m to the Racing Development Corporation, they have to be assured that it can repay the loans and the interest. On one occasion I introduced an amendment to the Racing and Betting Act to include a new section 126B, which states—

"126B. Financial Accommodation to the Corporation. (1) If at any time there are insufficient moneys in the Fund to allow the Corporation to exercise any of its powers or perform any of its functions or duties under this Act, the Governor in Council may, on the recommendation of the Treasurer, approve that the Fund be overdrawn by such amount, for such period and on such terms and conditions as the Treasurer thinks fit.

(2) The Corporation shall not enter into commitments with respect to expenditure from the Fund which could result in the Fund being overdrawn at any time without the prior approval of the Governor in Council given on the recommendation of the Treasurer and the Corporation shall furnish to the Treasurer each year a 5 year estimate of expenditure from the Fund based on known and anticipated commitments.

(3) Notwithstanding the provisions of any other Act or law, financial accommodation to the Corporation shall be extended only in accordance with the provisions of this section."

The Treasurer has made it quite clear that the Racing Development Corporation cannot overspend unless it receives the approval of the Governor in Council. I did not seek to overdraw the fund at any time because I did not need to do so. There seems to be a suggestion that there is something sinister in what I have done. The media and some sections of the Opposition do not understand that every taxing authority has had a crack at the racing dollar—the dollar that finds its way onto the race-tracks. The

punter, about whom the Opposition seems to be so concerned, goes to the race-track and has a bet on the TAB with funds that he could spend on tobacco, liquor or some other form of enjoyment.

With funds from the Racing Development Corporation I have tried to give people what I believe they are justly entitled to by putting something back into race-tracks. My actions over the last three years cannot be judged unless it is realised that the funds I have spent at Doomben are for the public. The improvements were put there not for the members of the BATC but for the punters.

Mr Casey: That is because racing is the only legal form of punting. You can't punt on a football match or a boxing tournament.

Mr HINZE: I am not going into detail about the various forms of gambling. Over 100 years ago, this State was settled by pioneers. They started little race clubs. Their only form of enjoyment and social activity after weeks of hard work was to find grass-fed horses that would race one another. They put up a fence, built slab huts that they called their administrative areas and conducted race meetings. As the years passed, those race clubs developed into clubs of which we were proud, and Queensland developed some of the best horses in Australia.

Throughout Queensland, there are now 170 race clubs. Those associated with the clubs usually are very responsible people in the areas in which they live. In the 170 clubs, there would be 10 members on each committee. Therefore, the Government has 1700 people working for it for nothing. The people who work for race clubs, whether they call themselves president, secretary, or whatever else, do not receive any remuneration. They work for their club because they love the industry. All I am doing for them is placing back in their hands a decent race-track, a decent running rail, a photo-finish, a stand or a grass track. That is all I have tried to do with the funds I have expended.

I have no hesitation in saying—I have said it previously, and repeat it—that since the Government has had the privilege and opportunity of ploughing back into the industry the funds that it so richly deserved, its actions have resulted in this State becoming the model for racing in Australia. Every other State looks towards Queensland. For the winter racing carnival, \$3.5m has been given in prize-money, a great deal of it by sponsors. Honourable members know as well as I do that the people who sit in board rooms and make decisions make funds available only if they believe those funds are well spent. We all know the old adage that nothing succeeds like success. The boards of Castlemaine and Rothmans cannot be tricked into putting their funds into something unless they believe they will receive benefits. That is why they follow the racing industry. That is why we will be able to offer such big prize-money for horse-racing in Queensland.

What does that bring? Thousands of people will come to Queensland. All I am doing is helping my colleagues with responsibilities for tourism and trade when I say, "When these people come to Queensland, they are all yours. Once you get them into Queensland, you can extract as much as you possibly can." It is all very well for the member for Woodridge to point at the clock—

Mr D'Arcy: What about the \$13m that Treasury had to put into the racing industry prior to 1981?

Mr HINZE: I think that the honourable member asked that question of Gordon Chalk eight or 10 years ago. I do not know the answer. It is no use asking me. However, if the member wishes to ask a question about anything that has happened in the last four years, I will certainly be able to answer him.

Mr JENNINGS: I refer to what the member for Ashgrove said and the Minister's very able reply. A reflection seems to have been cast on the program, the suggestion being that the Minister has been up to something fishy or shonky. As all honourable members know, what he has been up to is great for all of Queensland.

I wish to give the Chamber one example of what the Minister has been up to in my electorate. It relates to finance and shows his ingenuity. The project dreamed up by the Minister relates to what the member for Ashgrove said. It will benefit many people.

The TEMPORARY CHAIRMAN (Mr Booth): Order! I ask the honourable member to resume his seat. I ask all members to keep their remarks to clause 21, which is the clause under discussion.

Mr WARBURTON: It is a shame that the Minister did not respond to the Opposition's criticism of the clause. Despite his continuing to say ad nauseam that the fund has not been overcommitted, the document that he tabled yesterday proves conclusively that unless that additional money can be obtained from the Totalisator Administration Board—that is what this provision is all about—the money that is over and above the moneys that the fund would normally receive from fractions, unpaid dividends and the percentage of TAB turnover—the fund has problems.

The documents tabled by the Minister yesterday reveal in the estimated cash-flow sheet that in 1983-84 the total amount that the fund received by virtue of the formula in the Act was approximately \$6.8m. The expenditure is shown at \$10.5m. The only way that that amount of money can be expended is if the Minister gets the \$4m from the Totalisator Administration Board. The Minister knows that. If the Minister failed to get that \$4m this year, the fund would be in difficulty—it would be overcommitted. The proof of the pudding is in the eating; the proof can be found by reading the document tabled by the Minister.

I make it clear that the Opposition's objection is to the manner in which this is being done. I repeat that, had the Minister come before the Parliament and expressed a point of view that there was a legitimate need for the provision in the Act to be amended, and could have proved the necessity for that, the Opposition might have adopted a different attitude. However, I stick rigidly to what I have said. The fund is overcommitted.

Mr HINZE: I guess it is much like building a house. When a person does that he undertakes to get the necessary finance. He knows that if he does not get the finance, he cannot build the house. That is what the Deputy Leader of the Opposition is saying.

For the last 12 months those funds have been promised and have been available. The TAB has told me that there is no need to worry. I ask the Deputy Leader of the Opposition: For what purpose was the TAB set up? It was set up for the benefit of the racing industry, so that people could have the right and privilege of having a legitimate off-course bet in Queensland. It is a very successful operation and has substantial funds. It was never set up to purchase land or to make huge profits. It has to conduct its affairs in a businesslike way. In these days, with the benefit of computer hardware and software—they are new terms to me—provision is made to retain a certain number of dollars after so many years. Funds over and above those that are set aside could serve no better purpose than to boost the Racecourse Development and Assistance Fund. I do not intend to continue to ask for more funds. The figures that I have placed before the Parliament set out the amounts of money that will be required over the next four or five years. Grandstands do not have to be built every year. In this case I have said to the financiers that they will be repaid over 10 years for a grandstand that will last for 50 years. That is a pretty good deal. The Deputy Leader of the Opposition and I have been in local government and know all about 40-year loans. In this instance the loan will be repaid in 10 years. How better could it be done? In fact, the industry is paying for it.

Opposition members have looked at the figures. They surely must commend the Government on them. In the past three years more funds from the racing industry have gone into consolidated revenue than ever before. Those funds are being used for the purpose of improving sporting facilities, for the benefit of my colleague and cricketing friend opposite who keeps on screaming and crying about the other sports. A total of \$33m a year now goes into consolidated revenue. When I took over the portfolio, the figure was \$23m. That is an extra \$10m a year that the Government can give to sport. It is up to the Ministers concerned or the Treasury to decide the allocation of those funds. I repeat that the fund is not overcommitted and has never been overcommitted. I cannot accept that there is anything wrong with the figures I presented to this Assembly, and I certainly have not misled the Assembly.

Question—That clause 21, as read, stand part of the Bill—put; and the Committee divided—

Ayes, 46

Ahern
Alison
Bailey
Bjelke-Petersen
Borbridge
Cahill
Chapman
Cooper
Elliott
Gibbs, I. J.
Glasson
Goleby
Gunn
Harper
Harvey
Henderson
Hinze

Innes
Jennings
Katter
Kaus
Knox
Lane
Lee
Lester
Lickiss
Lingard
Littleproud
McKechie
McPhie
Menzel
Miller
Muntz
Newton

Powell
Randell
Row
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton
White

Tellers:

FitzGerald
Neal

Noes, 30

Campbell
Casey
Comben
D'Arcy
Davis
De Lacy
Eaton
Fouras
Gibbs, R. J.
Goss
Hamill

Kruger
Mackenroth
McElligott
McLean
Milliner
Murphy
Prest
Price
Scott
Shaw
Underwood

Veivers
Warburton
Warner, A. M.
Wilson
Wright
Yewdale

Tellers:

Burns
Vaughan

Resolved in the affirmative.

Clauses 22 to 25, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Hinze, by leave, read a third time.

CITY OF BRISBANE ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 10 April (see p. 2641) on Mr Hinze's motion—

"That the Bill be now read a second time."

Mr SHAW (Wynnum) (3.20 p.m.): This Bill is one of the most incredible pieces of legislation to come before this Assembly. It is very important, and it will have a large bearing on the way in which democracy in the city of Brisbane will operate over the next decade. For that reason, it is regrettable that the Bill is being rushed through the House at such short notice. The possibility of legislation being introduced has been mentioned in the media for some time; but although honourable members had some warning, there has been very little time for them and the public to examine the Bill and consider its implications.

It would be fair to say that the Bill is politically motivated. An analysis of its contents and the Minister's statements surrounding its introduction make it difficult to draw any other conclusion. It is a cynical attempt to manipulate the democratic procedure for the election of the Brisbane City Council.

The clauses in the Bill can be broken up into two groups. Some clauses are politically motivated; other clauses are consequent upon the introduction of those politically motivated clauses. I cannot find any clauses in the Bill that come under any other category.

If honourable members ask, "Why is the Bill before us?", an answer can be found in the statements made by the Minister for Local Government immediately after the last State election. A headline that appeared on the front page of "The Courier-Mail" was the most notable. It read, "Let's take City Hall, says Hinze" Obviously, the Minister had prepared a statement so that he could not be misquoted on off-the-cuff comments. Mr Hinze was reported as saying—

"As the Local Government Minister, I strongly recommended to the National Party that it seriously consider contesting every ward at the next Brisbane City Council election."

The Minister for Local Government was taking a stand at that time and urging his party to move into the council.

The article reported that the Minister had said—

"Brisbane ward boundaries were likely to be re-drawn and that he would recommend to State Cabinet that the Local Government Act be altered so that all local authority leaders would be elected by popular vote."

That comment must be considered in the light of the first comment.

The newspaper article draws attention to the fact that Mr Hinze's statement was a reversal of his attitude in April 1983 when he made statements about the lord mayoral election. At that time, he held the opposite view and said that the State Government did not intend to alter the method of election. Why did that sudden reversal come about? The answer is obvious. The National Party would like to take control of the Brisbane City Council but, unless the system is stacked in its favour, it will have difficulty doing that.

Many of the clauses are of great concern to the Opposition. Of prime concern is the clause that will change the method of electing the Lord Mayor. When the matter of the election of shire chairmen was being debated in this Chamber, I made the point that that could be seen in the same light as the election of the Lord Mayor. I make that point again now. There is a big difference between the election of the Lord Mayor and the election of a shire chairman.

It is not the intention of the Opposition to call divisions on many of the provisions contained in the Bill, including that provision in particular. Such a move would be seen as a symbolic gesture and would certainly take up the time of this Chamber. However, I make it very clear that Opposition members are not happy about the Government's motives for introducing this legislation. I shall probably make that point again at a later stage.

I deliberately want to avoid creating the impression that the Opposition in this House can protect democracy. I feel very strongly about the fact that the people of Queensland—and, indeed, the people of Australia—need to take a much stronger stand than they do on the protection of democracy. Matters such as the gerrymandering of electorates and holding elections earlier than is necessary are viewed too leniently by the general public. That is certainly the case in relation to this provision. The final judgment as to whether or not the Government is acting correctly—politically motivated, I might add—in amending the Act will rest with the people of Brisbane. The people of Brisbane made the final judgment in 1972.

Mr Davis: And didn't they make it well, too?

Mr SHAW: They certainly did. Probably that point has not been lost on the back-room people of the National Party, and probably that is why they are not making an all-out attack on the Labor Party in the forthcoming municipal election. Perhaps they will see how that election goes and make a run at some future time. Alternatively, they might keep their options open and make a run this time if the climate looks good.

The point needs to be made that at all levels of government people who engage in skulduggery and in trying to rot the system quite often find that their actions react against them. Since 1878, soon after the State Government of Queensland was set up,

local government in Brisbane has been subjected to attempted manipulation by Governments. The most notable recent instance occurred in 1972. At that time, the Government created a certain situation. This Bill totally reverses that situation.

It is interesting to read the reasons that the State Government put forward in 1972 for the introduction of a Bill that was designed to change the system that operated in Brisbane. I will take time to read some of the reasons that were put forward by the then Minister for Local Government (Mr Henry McKechnie) for introducing the very system that this Bill is designed to change.

He said—

“We feel that the Brisbane City Council, by reason of the vastness and complexities of its operations, has no counterpart amongst the other local authorities in the State, and for this reason we feel that the method of selecting the Lord Mayor of the City of Brisbane has to be viewed in a different light from that of electing the mayors and chairmen of other local authorities.”

I could not disagree with that; I made that very point today. He went on to say—

“I make it very clear that the city of Brisbane is governed by a separate Act, which acknowledges completely a different type of Government.”

By that, he meant a type of government different from that in the shires throughout Queensland. What he was saying was that the City of Brisbane Act is unique and that the position of Lord Mayor has attached to it powers that are not given in other local authorities.

Later, Mr McKechnie said—

“Moreover, the existing system means that the city can be deprived of the services of a potentially efficient alderman by the defeat of an unsuccessful lord-mayoral candidate.”

That is the very system that the Government is trying to introduce by way of this Bill. I have yet to hear any Government member state why the Government has suddenly changed its mind and altered the view that it held at that time.

At a later stage of his speech, Mr Henry McKechnie said—

“We also feel that giving the aldermen the right to appoint the Lord Mayor from amongst their number will provide them with the voice and power which should be their right if they are efficiently to represent the people of their electoral wards—and that is democracy.”

We can only assume that what is being introduced today is not democratic. They are not my words; they are the words of the then Minister for Local Government when introducing the Bill.

At a later stage during the debate, the former Minister stated—

“The provisions contained in the Bill—”

that is the Bill that is now being amended—

“will assist in restoring to rank-and-file aldermen a greater say in the government of the city.”

Can I assume that the system that is being introduced today will take from the rank-and-file aldermen their say in what will happen to their city, or was the former Minister for Local Government mistaken? He said that it would encourage good candidates to nominate for election to the council.

As I have said, the City of Brisbane Act gives the Lord Mayor powers not enjoyed by other mayors and chairmen. He is given extensive powers and responsibilities. A Lord Mayor should have experience and knowledge of the system. He should know how local government operates and have a knowledge of the contents of the City of Brisbane Act. The election of Lord Mayor under the old system produced such persons.

Mr Hinze: Clem Jones was all right, wasn't he?

Mr SHAW: Yes, I think that Clem Jones was all right. What the Minister is doing today could result in his standing again. The Minister might come undone. The Labor Party might run him as a candidate in the future and win 90 per cent of the seats again.

Not only Clem Jones but also Lord Mayor Chandler had a reputation for being able to run the council very well. That does not mean that the Lord Mayor is a figure-head as mayors and chairmen are in so many local authorities. The Lord Mayor holds a position of power in very real terms. The present Lord Mayor has a good knowledge of the operation of the council, and he will continue to do so after his election next year. He will not remain in that position for ever. In the future there will be a problem in finding persons with the necessary knowledge and experience to assume the very high responsibilities in the council. That disadvantage will be evident under the system that is being introduced.

In 1972 it was widely recognised that the Government was acting politically in a cynical exercise to get rid of the Lord Mayor and the Labor council. In 1972 the Government had the decency to give reasons or excuses for what it was doing.

Mr White interjected.

Mr SHAW: I am talking about the 1972 exercise. As the member for Redcliffe interjected, this move might be to get rid of the Liberals. That is probably part of the reason. The objective is to put a National Party council in charge. No matter what a person says about the National Party, he must admit that it thinks positively. It is trying to rig the system so that it can win and cannot be thrown out in the future. The National Party never settles for second best; it always goes for the lot.

In 1972 the Government tried to suggest that it was acting in the best interests of the city. It all boils down to the headline in "The Courier-Mail" that quotes the Minister for Local Government (Mr Hinze) as saying, "Let's take City Hall." Over the years, the city of Brisbane has been subjected to a long history of political interference. That is a great pity. In the last couple of years the rest of Australia has recognised the benefits that can be derived from the city of Brisbane concept.

The State Government would do well to investigate whether opportunities exist to extend to other areas this concept which has given the city of Brisbane tremendous advantages and provided economies in the way it operates. It is not often that the cities of Melbourne and Sydney—the "darned southerners" so often denigrated by the Premier—admit that we in the north have led the way, but in recent times such an admission has been made. Southerners are studying whether or not some of the innovations in the City of Brisbane Act can be introduced into their States. It is a great shame, then, that at the same time as that is happening, the Government is moving away from those great benefits and is repressing the city of Brisbane.

In 1923 what was called the great experiment was introduced. As I understand it, it was never envisaged that what was then introduced would be the final way in which the city of Brisbane would operate. It was always envisaged that amendments and improvements would be made. There have been several amendments—the last in 1940, by a Labor Government. There is a big contrast between that and what is happening today. The amendments in 1940 followed an investigation by people well versed in the way in which the city of Brisbane operated. They imposed restrictions on the councillors of the day and altered some of their powers. However, they were very positive alterations. Anyone who looked at the changes then made could say only that they were to the benefit of the city. That is so because they resulted in long investigations and an input by people who really knew and understood the system of local government. I would have to agree with some of the sentiments of the Minister; people like that are very hard to find. We do not necessarily find them coming out of the universities with degrees. A great deal of experience and study of the system is required.

It could be that we should be updating the great experiment and considering whether or not those alterations of 1940 to a Bill introduced in 1923 are still appropriate for the city. Although we could be very well considering such alterations, they certainly have not been included in this Bill. There is no sign of that happening. We see in the Bill proposed changes that have resulted from lengthy discussions in National Party rooms at the suggestions of people who, for the greater part, have absolutely no understanding of the City of Brisbane Act and the problems of the city of Brisbane.

In contrast, past changes have not been made as a result of political motivation. People in the city of Brisbane have cause for grave concern—indeed, cause for fear—at the prospect of the National Party being able to rig the system and attain office in the city of Brisbane. I say that quite deliberately. Clearly, there is no other way for the National

Party to do it, considering the history of the way in which that party has treated the rate-payers of this city in the past. The rate-payers would have very short memories indeed if they forgot the way in which they have been disadvantaged and persecuted by some of the Acts passed in this House. I need only refer to the take-over of electricity distribution and the establishment of the Brisbane and Area Water Board—measures introduced amid claims by people on the Government side, “It is time we got square with these people of Brisbane. They have enjoyed too many advantages for too long.” Few Brisbane people will forget those statements in a hurry.

The basis for the decision to increase the number of wards is the same as that used in 1972—political expediency. The Government is providing the commissioners who can draw up only the number of wards that the Government tells them to. That is very much a political decision, one which no doubt came out of the National Party room.

I note that the proposed wards must have different names from those used for State electorates. I could speculate on all sorts of reasons for that. My guess is that it is for the very same reason that the Government moved away from the system that operated prior to 1972 when the wards had exactly the same boundaries as the State electorates. Of course, some economies were associated with it but, in the Government’s opinion, they were outweighed by the benefit of being able to get rid of aldermen who were better representatives than the members of this place. We on this side of the House have no fears about that. We usually co-operate fairly well with aldermen. There may be differences from time to time, as happens in all fields, but Opposition members do not suffer the same paranoiac fear of competition that seems to exist on the Government side. I have no reason to doubt the very logical reason for having different ward names is that the system will give some measure of protection to the newly elected National Party members who hold State seats in Brisbane. It will ensure that they have neither Labor nor Liberal aldermen looking over their shoulders and proving that they cannot do the job.

I note with particular concern the provision for a 20 per cent tolerance in the number of electors in a ward. That is a very high percentage. Other members of the Opposition will enlarge on that. The only reason for adopting a 20 per cent tolerance seems to be so that it will accord in some way with the procedures adopted by the Government in arranging State electorates. This is one case in which it could be said with a great deal of justification that to be in accordance with the State electoral practices is certainly no indication that democracy will be protected.

The concept of having zones is not new; the idea of two zones was introduced in 1972. Once again, other members of the Opposition will enlarge on that. However, it is a matter of great concern and seems to have been included in the Bill merely to ensure that if the Government decides upon a further redistribution and to return to the electoral system that has operated until now, it will be provided with a way to gerrymander Brisbane City Council wards in the same way that it gerrymanders State electorates.

It is a pity that the Minister is not in the Chamber, because I had hoped that he would reply to what I am about to say. The Bill adds members of State Parliament to the list of people who cannot continue as aldermen on the Brisbane City Council. As I read the Bill, that could very well mean that members of this place cannot stand for election in the Brisbane City Council. The present Act contains a list of disabilities that preclude people from standing for election to the Brisbane City Council. I will read that list in a minute because it is enlightening to see in what sort of company the Government places members of this House.

It provides exemptions to enable people who have a pecuniary interest in local government to stand. So if a person would have been subject to disallowance because he had very extensive financial dealings with the council, he is now specifically allowed to stand for election. If he is successful, he must then resign. That is fair enough; I do not cavil at that. The opportunity to stand is still there.

It seems, then, that the only persons excluded are members of Parliament, persons who are undergoing a sentence of imprisonment—and they include those whose sentences have been suspended and those who are on parole—and persons who are insane within the meaning of the laws then in force relative to insanity. It could be argued, of course, that a person has to be insane to be a member of Parliament. However, those

two groups are spelt out specifically, and one might say that they are fairly extreme groups and that there is obvious justification for not allowing members of those groups to stand for election to the council.

Although members of Parliament are, at times, denigrated rather harshly and referred to in fairly low terms, they do not really deserve to be placed in either of those groups. It appears that, once again, a clause is being inserted for the sole purpose of protecting from unfair competition people within this place. I hope that the Minister has heard that clearly, because I would particularly like him to clarify that point.

Hon. Sir WILLIAM KNOX (Nundah) (3.47 p.m.): Mr Deputy Speaker, I draw your attention to the fact that the Bill has significant political connotations. It is very important that it be debated, and it is a pity that it was not introduced earlier in the session. However, it was not ready.

As the honourable member for Wynnum said, this legislation was last amended in 1972. The Government of the day rightly saw fit to change the system of voting in Brisbane City Council elections, and also to have the Lord Mayor, who previously had been elected at large, elected by the aldermen of the city. There were many reasons why that was so, and if members care to read through the 1972 debate, they will see them all set out, and I do not intend to reiterate them.

Mr Davis interjected.

Sir WILLIAM KNOX: Whatever the circumstances, it was not well received at the time by the public, even though it was considered to be a wise move by the Government of which I was a member.

Mr Davis: It was 20 to 1.

Sir WILLIAM KNOX: I am not dodging the facts. The situation is that, after 12 years, the legislation is operating successfully, the immediate reaction of the public has been forgotten and things have settled down.

This particular amendment was not sought by the aldermen of the city of Brisbane. It was not sought by the Brisbane City Council collectively, and it was not sought by the people of Brisbane. In fact, the people of Brisbane have even protested against it because of the additional cost that will have to be met by the rate-payers of the city.

It is true—the Minister is correct—that in the intervening 12 years there has been an increase in both the population and the number of voters. The increase in population has been only slight; the increase in the number of voters has been substantial. It is reasonable to assume that with an increase in the number of voters, there might well be an increase in the number of aldermen; but that has not necessarily followed in Federal or State Parliaments, and it does not have to follow here.

In fact, there will be six new aldermen for the Brisbane City Council, and the rate-payers of Brisbane will have to meet the cost of their salaries, contributions to superannuation, maintaining offices in the wards, staff, communications and the general trappings of office that go with being a city council alderman. They will have to find between \$1.3m and \$1.5m to meet the additional cost of those six aldermen. To me, and I am sure to every honourable member, that seems to be an inordinate amount of money. Nobody has asked for the increase; no petitions have been presented; no public meetings have been held; no resolutions have been passed by people interested in this subject. It is a substantial increase in the number of aldermen of the Brisbane City Council—an increase of more than 20 per cent.

If aldermen have to service more electors, there are ways in which that can be done. Communications can be improved. Better facilities can be provided. In that way aldermen can have better access to their constituents and will be able to do more for them.

The Brisbane City Council is the only council in Queensland that has professional aldermen. Compared with councillors and aldermen in other parts of Australia, the aldermen of the Brisbane City Council are relatively highly paid. In fact, I think that they are the highest paid aldermen in Australia. Because of the size of the city of Brisbane, the aldermen enjoy a status in their wards that few other people in local government enjoy. Their responsibilities are very great. If the electorate requires a better service, I believe that better facilities should be provided for the existing aldermen.

I notice that in the 1972 legislation provision was made for a vacancy occurring between the time when the legislation was assented to and the date of the election. I am not sure what the situation is under the Bill. Perhaps the Minister might explain it when replying to the debate.

The next step will be the setting up of a redistribution committee to look at the boundaries. The ward boundaries in Brisbane are very even and there is not a great deal of elector variation between the various wards. Only slight adjustments are required to equalise the number of voters in the wards in Brisbane. The boundaries have stood up very well over the last 12 years. They were designed in such a way that they took into account the contracting population in some suburbs and the expanding population in other suburbs. Each ward was balanced up very well.

I make a plea that the Government show a little more consideration in its approach to the Brisbane City Council. It appears to the people of Brisbane that the Government is determined to run the Brisbane City Council. It appears that the Government wants to stand over the Brisbane City Council.

Mr Davis: As you tried to do in 1972.

Sir WILLIAM KNOX: The honourable member has returned to the House. I wondered why it was so quiet.

Those are the feelings in the community about the proposal to increase by six the number of aldermen in the Brisbane City Council. If the proposal to increase the size of the Brisbane City Council were put to the people of Brisbane in a referendum, or even if a scientific sample were taken, I am sure that it would be overwhelmingly rejected.

There is a general feeling abroad that Australia has far too many politicians. Another 35 members of the House of Representatives are being foisted on us. There was no demand for an increase in the size of the House of Representatives. Australia has a population of 15 million and nearly 8 000 local government representatives and nearly 900 members of Parliament. This legislation only adds to the burden of government, and Australians will become the most over-governed people in the world.

Mr PREST (Port Curtis) (3.56 p.m.): I am amazed at the late introduction of this very important Bill. But that has become the norm for the Minister for Local Government, Main Roads and Racing, because "Hansard" reveals that his Bills are usually the last to be handled on the last day of a sittings.

The Bill provides that mayors for the city of Brisbane will be elected by the people. It also increases from 21 to 26 the number of wards into which the city of Brisbane is divided for electoral purposes.

In 1972, the number of wards was reduced from 26 to 21 and, at the same time, the system of electing the mayor was changed. Until 1972, the mayor was elected by popular vote. This Bill reverses that action.

I have read the debate on the City of Brisbane Act Amendment Bill in 1972. The late Henry McKechnie was Minister for Local Government at that time. He could offer no reason for the changes to the Act. I read with particular interest the remarks of Jack Houston, who was the member for Bulimba. He said—

"This Bill, I am sure, will go down in history as 'McKechnie's Folly', because never in my life have I heard such a lot of piffle as I have during the last 20 minutes. The Minister came into the Chamber and told us that he was going to change the whole structure of the Brisbane City Council. He said he was not going to interfere with the Lord Mayor's power."

All he was going to interfere with was the rights of the electors of Brisbane. Mr Houston also said that the Government has never changed. He commented further—

"It is interesting to note that the Minister said, 'We are not going to break up Brisbane.' I remember the Premier saying, 'We are not going to bring in Sunday drinking in Brisbane', and then, a few months after an election, the Government brought it in. It must be remembered, too, that although the Government said, 'We are not going to provide any more opportunities for gambling', the T.A.B. was established shortly afterwards."

That only proves that a tory Government can never be trusted.

The Minister has not told us the reasons that these amendments are being made, so they must be secret. He has given no reason why the Lord Mayor will be elected by popular vote rather than by the aldermen. The city of Brisbane has progressed tremendously under a Labor council. It has publicised the city and has created many opportunities. It is only one and a half years ago that the Commonwealth Games were held in Brisbane and no-one can take greater credit for the success of those Games than the aldermen of the Brisbane City Council.

We all know who went off to Canada, came back and set in train everything that ensured the success of the Commonwealth Games. What he did brought a great deal of credit to the Government and the people of Queensland, particularly the people of Brisbane.

In view of the comments made a few moments ago by the leader of the Liberal Party, I am quite certain that the Liberal Party will not support the Bill. I do not blame the leader of the Liberal Party for being concerned. Is it the intention of the Minister to take over the Brisbane City Council, or is it his intention only to eliminate the Liberal Party from the Brisbane City Council? At the present time, the ALP holds 11 wards and the Liberal Party holds 10. I think those figures are correct.

Mr Innes: For once you are right.

Mr PREST: I thank the honourable member very much. Those figures show that the ALP does not have much of a majority.

As was reported in the press on 11 March—

"The Liberal Party is trying to hold off new laws aimed at increasing the number of Brisbane Aldermen and ensuring that the Lord Mayor is elected by popular vote.

...

The National Party Local Government Minister, Mr Hinze, last year foreshadowed the new laws which would allow for more aldermen and revert to the popular Lord Mayor system which existed before the March 1973 council elections."

Honourable members know that in 1972 changes were made for the express purpose of trying to defeat the then very popular Lord Mayor of Brisbane (Alderman Clem Jones) and his Labor team. Members will recall that the ALP had a landslide victory and won 20 of the 21 wards. For no good reason at all, changes are to be made.

Other people share the concern that is being expressed by Opposition members. One such person is the new State president of the Liberal Party (Mr John Moore), who said that discussions were being held to try to stop the new laws.

The press article to which I referred earlier concluded with this comment—

"However, sources close to the Local Government Minister, Mr Hinze, who is in charge of any changes, said the proposals would go ahead with at least the creation of six new wards and election of Lord Mayor at large."

Mr Henderson: Five.

Mr PREST: Why? The Minister has not said why.

I am quite certain that the opinion poll that the National Party conducted gave it great hope of making inroads into the Brisbane City Council.

On 29 March, Peter Morley wrote in "The Courier-Mail"—

"Opinion poll support for the National Party in Brisbane has convinced the organisation it will make inroads at next year's Brisbane City Council elections.

...

On present opinion poll figures, the Liberal Party would be the big loser in the fight for city hall."

I am quite certain that it is not the Minister's intention to create a situation that will greatly benefit the electors of Brisbane; I am sure that he is creating the situation only for political purposes.

I believe in giving the best possible service to the electors, no matter which party might be in control. I am always willing to work in co-operation with anyone, provided the people benefit. That is what local government is all about. Local government is closest to the people and is aware of the problems within the community. First and foremost in the minds of members of local government should be the provision of service to the people and giving them satisfaction. After all, the people are the ones who pay the piper.

It is unbelievable that the Bill widens the disabilities that will prevent the election of a person as an alderman. A member of the Legislative Assembly will be incapable of being or of continuing as an alderman. That is the thin end of the wedge.

Sooner or later a similar provision will apply in all local authorities throughout Queensland. People who have had some experience in local government can make excellent members of the Legislative Assembly. The Opposition believes that, if they wish, they should be able to continue in local government when they are elected as members of this Assembly, and vice versa.

I do not know of any member leaving this Assembly to take up a position in local government. From time to time members of local government are elected to this Assembly. One person who did that was Rex Pilbeam. He was the Liberal member for Rockhampton in this House. He was a very good Liberal member of Parliament and also the mayor of Rockhampton for many years. I am certain that history will record Rex Pilbeam as being the longest-serving mayor of the Rockhampton City Council.

Mr Shaw: It is notable that this clause is stopping them going the other way; they don't want anybody standing as Lord Mayor.

Mr PREST: That is true.

If an alderman from the Brisbane City Council or the Lord Mayor of Brisbane wishes to become a member of the Legislative Assembly, he must resign from the council. That is something about which we must be concerned.

Brisbane will be divided into 26 wards. I am concerned about the quota system. The number of electors within the city of Brisbane is 478 539, which is an average of 18 636 per ward. The margin of 20 per cent over and above will be 3 927. That is a great variation. I would like it to be brought into line with the State Election Act. I am almost certain that that Act contains a provision for a 10 per cent variation.

The Opposition has agreed to limit the number of speakers on this Bill. No good reason has been given why the changes in the Bill are needed. The people who represented the Australian Labor Party in Opposition in 1972 said that the Government would rue its decision to take away the right of the people to elect a Lord Mayor by popular vote.

Between 1972 and 1974—or between 1973 and 1985 as it will be—no good reason will have been given as to why the decision taken in 1972 has not worked effectively. We know how the people reacted to the Government's decision in 1973 and we know that the people will react again in 1985. They will support the Labor candidates in the Brisbane City Council election because the people know that Brisbane has progressed. No skeletons have been found in the cupboard. No improper practices have taken place. The people of Brisbane will vote according to their conscience and according to the results obtained by the Brisbane City Council over the years. We ask the Minister to give us a good reason why these amendments have been made.

Mr BAILEY (Toowong) (4.11 p.m.): Unlike members on the other side, I am not here to pander to the so-called efficiency and effectiveness of this city council. The people I deal with—those who wish to develop; those who have to deal with the council—are caused enormous problems by the council. It is extraordinary that members opposite praise as effective what is considered to be one of the most bureaucratic, self-indulgent nightmares in local government. To pander to it, as have both parties on the other side, is quite extraordinary.

Suggestions have been made by both the Liberals and the Labor Party that this is a political exercise.

Mr Innes interjected.

Mr BAILEY: I say quite categorically that it is highly unlikely that National Party candidates will stand in the coming council election. Whether or not that concerns the honourable member for Sherwood, I do not know. I have stated since my election to the Assembly that I very much doubt that there will be National Party candidates. Alderman Denver Beanland at Auchenflower and Alderman Sallyanne Atkinson at Indooroopilly, within my electorate, are very effective aldermen. Both I support and both I work with extremely well.

People talk about this Bill being political. In this context that means that it is purely and simply an act by the National Party for its benefit. Quite frankly, I consider that to be an insult, not only to the party but also to the Minister. As I have said and as the party's spokesman, Sir Robert Sparkes, has said, it is highly unlikely that the National Party will contest the Brisbane City Council election. I think that that will be found to be correct.

Sir Robert has also been quoted as saying that Alderman Harvey will probably win. That is total press rubbish. Never in any conversation I have had with Sir Robert or any other member of the party has that been suggested. It will be a fair fight. Alderman Harvey and the rather pathetic group who back him in the council could be in for a shake-up. The people of Brisbane are absolutely sick of the administration that is pressing through some of the measures that it is now passing. I refer to natural parkland being converted into homesites in my electorate.

Mr Prest interjected.

Mr BAILEY: The member for Port Curtis would not know. The Gladstone City Council is hardly the best indication of the type of council needed to run a city. To a degree, that is indicated by its representation here.

The Brisbane City Council, even though it has been praised by members on the other side, is inefficient and a bureaucratic shambles. Any person with the initiative to attempt development in this city could outline the problems he encounters. The length of time taken to have something approved by the council is criminal. That council has cost the community millions and millions of dollars and has lost investment from the south and from overseas. Anyone who believes it is an efficient council has rocks in his head. If he stands up, he might rattle.

Mr Davis: I'm going to stand up and tell them about you.

Mr BAILEY: The member for Brisbane Central does not have to stand up for us to hear him rattle. He does it all the time, lying on his side over there mumbling. I wish we could put a microphone in front of him so we could hear the odd sensible interjection from him. Some members do him the courtesy of stopping to listen to his interjections. That terrifies me, because we then have to listen to the sort of rubbish that he talks. I know that I will probably get a serve back from him and I probably deserve it, but I look forward to it.

Mr Prest: You have never been any good. Even when you were a newsreader you had to get someone to write it for you.

Mr BAILEY: Your last interjection last night is exactly the sort of thing I would expect from you.

Mr DEPUTY SPEAKER (Mr Booth): Order! I suggest that the honourable member for Toowong address his remarks to the Chair. Cross-firing in the Chamber shall cease.

Mr BAILEY: My apologies, Mr Deputy Speaker.

I do not think anyone really disputes that the city of Brisbane has increased in size and that therefore it needs more aldermen. I understand that Alderman Sallyanne Atkinson has disputed that, but the figures speak for themselves. In 1972, the city of Brisbane had 390 100 electors and the State Electoral Office recorded 478 539 electors in 1983.

Mr Innes: Supposing that is true, has there been a complaint from either the aldermen or the rate-payers of Brisbane?

Mr BAILEY: Perhaps they have not been informed of it. Alderman Sallyanne Atkinson denied that that was the case.

That means that the 21 aldermen are expected to represent an additional 90 000 electors. Surely a valid argument is that a greater number of aldermen would enable the electors to be looked after. The two aldermen in my area are overworked.

In my maiden speech I expressed the feeling that the large monolith that is the Brisbane City Council should be done away with and the area cut into four. People could then be appointed as voluntary aldermen, who would be paid their expenses and for attendance at council meetings. That would bring back smaller government that is more interested in local issues.

I accuse the Brisbane City Council of spending less money in each of the two Liberal wards in my electorate than in any of the Labor wards. Even the small amount of money that is spent in those wards is used very inefficiently. Because, for political reasons, it does not suit the council to look after the two wards in my electorate, it penalises an area that pays more rates than any other area.

Mr Davis: That is ridiculous.

Mr BAILEY: That is not ridiculous. That is a fact.

Mr Prest: Rot!

Mr BAILEY: As the honourable member comes from Gladstone, how would he know?

Mr Prest: Mr Davis told me.

Mr BAILEY: I apologise. That would be very accurate information! If I had realised that the honourable member for Brisbane Central was the source of all of the information possessed by the honourable member for Port Curtis, I would not have disagreed.

The figures of the member for Nundah reveal that the savings brought about by the new fire levy will pay for the 26 aldermen for the next few years.

One of the two members for double-dipping, the member for Wynnum (Mr Shaw), was concerned that city aldermen who were elected to this place would have to resign from the council. I understand that both of the honourable members involved said that they would donate one of their salaries to charity. It would be nice if that could be substantiated.

Mr Davis: Take my word for it.

Mr BAILEY: Perhaps I could take the honourable member's word for it.

Mr SHAW: I rise to a point of order. What the honourable member is endeavouring to imply is offensive to me. I make it clear that everything to do with my salary was audited by the Auditor-General and, therefore, is public property. None of that salary was kept.

Mr DEPUTY SPEAKER (Mr Booth): Order! The honourable member has heard the explanation from the honourable member for Wynnum. I ask him to withdraw that remark.

Mr BAILEY: At your direction, Mr Deputy Speaker, I withdraw it.

As I said, the member for Wynnum was concerned that aldermen will have to resign when they are elected to this Assembly. Of course, at one time he had two substantial salaries coming in.

Mr SHAW: I rise to a point of order. I have made it quite clear to the honourable member that I did not have two salaries coming in. I ask him to either accept my statement or to make the same statement outside the House so that I can take appropriate action.

Mr DEPUTY SPEAKER: Order! The honourable member for Wynnum finds that remark offensive. I suggest it be withdrawn.

Mr BAILEY: I withdraw it with qualification, if I may.

Mr DEPUTY SPEAKER: Order! I cannot allow that. Withdrawals with qualifications are not allowed. I suggest that the honourable member withdraw it.

Mr BAILEY: I withdraw it.

The point I was making was not an attack on the member for Wynnum. I was simply saying that he was put in the position of having to deal with two incomes. I hope the honourable member finds that acceptable. That is exactly what would face aldermen who become members of this Parliament.

The honourable member might consider that it is possible for an alderman to do his job effectively and at the same time carry out duties as a member of Parliament effectively, but I find that suggestion unacceptable. Opposition members might think that other people will be as honourable as Mr Shaw claims he is. Again, that suggestion is unacceptable to me, because I do not believe that every person elected to both positions would act in an honourable manner. It should be remembered that if a member of this Parliament wants to stand for a Federal seat, he must resign—not after the election, but before it. I do not think that that is an unfair provision.

Mr Davis: What about Mrs Chapman? She gets a couple of dollars for going to that lousy old place.

Mr BAILEY: That is part-time representation.

Mr Davis: She still gets money.

Mr BAILEY: I am not arguing that.

I consider this Bill to be a very practical document that will benefit the people of Brisbane. It is a commonsense piece of legislation. It is taken by members of the Opposition and by members of the Liberal Party as some sort of political exercise. That is an unfair assessment. Not only is it unfair; an element of paranoia is creeping in. I heard the member for Redcliffe interjecting that the Bill was designed to do away with the Liberal Party. Quite frankly, I think he has done a good enough job of that himself, and does not need any assistance.

I support the Bill.

Mr MILLER (Ithaca) (4.22 p.m.): This afternoon, history is being written as far as the Brisbane City Council is concerned. To my knowledge, on every other occasion on which there has been an alteration in the method of electing the Lord Mayor, that alteration has been at the hands of the Labor Party. To the past, the ALP believed that the Lord Mayor of Brisbane and other mayors throughout Queensland should be elected by popular vote. Listening to Opposition members in this debate, I gained the impression that they have changed their opinion and now believe that the Lord Mayor should be chosen by the aldermen who have been elected by the people of Brisbane. That is a complete change of heart by the ALP.

At the same time, I must admit that the present Government has changed its point of view on the election of the Lord Mayor of Brisbane. I read the 1972 debate on amendments to this Act and found that the present Minister for Local Government very strongly supported the changes being made by the then Minister for Local Government (Mr H. A. McKechnie). Those changes related to the election of the Lord Mayor and the number of aldermen. On that occasion, the present Minister for Local Government made it quite clear that he supported a reduction in the number of aldermen and the theme that the Lord Mayor should be chosen by those aldermen who had been selected by the people of Brisbane to run their city.

In 1972 I agreed with the present Minister for Local Government, and I still believe that what he said in 1972 is correct. Recently in this House, I admitted that I had made a mistake when I supported amendments to the Electricity Act. There is nothing wrong with saying that one has made a mistake; but if one says that one has made a mistake, one should at least be able to justify what one is doing to correct it.

The Minister has said, in as many words, that he made a mistake, because he is now saying that he was wrong when he supported a reduction in the number of aldermen to 21. He should inform the House why he is now increasing the number of aldermen, because, even though the population of Brisbane has increased, neither the aldermen of the Brisbane City Council nor the people of Brisbane have called for such an increase.

If the Minister believes that he was wrong in 1972, I hope that, when replying, he will take the opportunity to tell me why he has changed his point of view. I also extend the same invitation to members of the ALP, who now appear to support the theory that the Lord Mayor should be elected from the aldermen who have been elected by the people of Brisbane.

If one looks back to "Hansard" of 1972, one sees that the then Leader of the Opposition (Mr Jack Houston) gave the history of the city of Brisbane. That history should be recorded in "Hansard" once again, because it highlights the attitude of the Australian Labor Party in 1920, 1923, 1929 and 1930.

Mr Shaw: Unlike the National Party, we have changed in 50 years.

Mr MILLER: Yes, the Labor Party has changed since 1972.

As I said, if the ALP made a mistake previously, it should now inform the House why it believes that the Lord Mayor should be elected not by popular vote but by the aldermen of the council. Opposition members have said that they want the Lord Mayor chosen by the aldermen, but they have not said why they have changed their point of view. They have not given the reasons for changing their point of view. When I make a mistake, I stand up in this Chamber and say why I have made a mistake. Opposition members should do exactly the same thing.

It is not just the Government and the Labor Party that have changed their point of view on this question. The people who wrote the editorials for "The Courier-Mail" in 1972 and 1984 have also changed their point of view about the election of the Lord Mayor and the number of aldermen who should represent the city of Brisbane. Newspapers have a great bearing on the community's thinking. I shall look at what "The Courier-Mail" said in 1972 and compare it with what it is saying in 1984. Perhaps it believes that people cannot recall what its editorial was in 1972, so it is not bothering to say to the people of Brisbane, "We have changed our point of view since 1972"

In 1972, the editorial in "The Courier-Mail" stated—

"The Government may be acting in good faith, but until it presents a more rational argument for the proposed changes, Brisbane people will believe that its motive is to break the domination of the Lord Mayor (Alderman Jones)."

In 1984, the editorial in "The Courier-Mail" stated—

"The Lord Mayoral candidate should be acknowledged as the leader of his or her party's team; that candidate should clearly have demonstrable skills and long experience. By insisting on a popular vote, the Government is depriving the council, and the ratepayers of Brisbane, of the unsuccessful candidate's services."

That was a little different from the editorial in 1972.

The editorial in 1972 also stated—

"A decrease in the number of aldermen would mean a severe reduction in the representation the people of Brisbane have on the council.

How can this be justified? The Government has produced no convincing argument, but continues to talk around the issue."

In 1984, "The Courier-Mail" reported—

"Suggested increases in population hardly support the plan to increase the number of wards. The population of the area served by the Brisbane City Council has remained relatively static in the past 12 years, and has even declined in some areas.

Similarly, excellent arguments can be advanced against the plan for a popularly-elected Lord Mayor. It is possible that this successful candidate could represent the minority party in the council. Experience elsewhere suggests that this inevitably leads to instability and inefficiency."

The editorial in 1984 is strange when compared with the 1972 editorial, which said—

"Any changes must be aimed at giving the city a form of government which will meet the demands of the future.

Clearly, the Government should re-think the whole matter."

In 1984, the editorial also said—

“The existing system, despite the odd circumstances of its introduction, has worked well for the last 12 years. It would be a pity to change it now, and certainly just to suit the political ambitions of the National Party.”

It is strange that this newspaper, which has so much influence on the people of Queensland, changed its point of view between 1972 and 1984 without telling the people why.

My time is running out. Like other members, I have agreed to restrict my contribution to the debate. I strongly support the present system of having the Lord Mayor elected by the aldermen who have been chosen by the people. I strongly support the theory that 21 aldermen are quite capable of representing the population in the wards as they are currently drawn up. The point was made by the member for Toowong that the two aldermen in his electorate are very hard workers. I agree with his comment, but those two aldermen have told me that they are capable of handling the work-load. I suggest that there is no need to change the system that exists under the City of Brisbane Act.

Mr DAVIS (Brisbane Central) (4.33 p.m.): There is an old adage that the spoken word can never be recalled—except when it is printed in “Hansard”.

The debate on an amendment to the City of Brisbane Act on 5 September 1972 makes very interesting reading because it shows how hypocritical the members of the Government were at that time. I include those members of the Liberal Party who defected to the National Party at a later stage. You, Mr Deputy Speaker, were not a member of Parliament at the time. Some back-bench members of the Liberal Party were the most vocal in the debate. The speech of the member for Ithaca in 1972 was clearly anti Clem Jones; the whole tenor of his speech showed that. The member for Windsor at that time (Mr Moore), the member for Merthyr (Mr Lane) and the member for Ithaca pushed the Government into changing the Act. The result of that 1972 legislation was the debacle suffered by the Liberal Party at the following Brisbane City Council election, and I do not think that the Liberal Party has ever recovered from that hiding. In 1972, the number of wards was reduced from 28 to 21 and at the following local government election, 20 of those 21 wards were won by the Labor Party. The ward of Indooroopilly, which was held staunchly by the Liberal Party, was decided only after three days of counting. The people of Brisbane made it plain what they thought about the changes.

The Opposition spokesman (the member for Wynnum) stated that the Opposition abhors political interference in the Brisbane City Council. But that has been the case for years and years because of the Liberal Party back-benchers in this place. As a matter of fact, the honourable member for Ithaca is well known as “Alderman Miller”. In speech after speech he talks about the Brisbane City Council. If there was no such thing as the Brisbane City Council, he would have nothing to talk about. I suggest that the honourable member for Toowong, too, leave the Brisbane City Council alone. At least three of his four speeches have dealt with it.

The honourable member for Ithaca referred to comments made by the present Minister for Local Government when the legislation was introduced in 1972. At that time, when he was the back-bench member for South Coast, he made several interesting comments on this subject. It is amazing how members who are appointed to Cabinet forget what they said when they were on the back bench.

In 1972, Mr Hinze said—

“I accept that if there are a number of local authorities in an area, it is virtually impossible to get agreement between them. In fact, we should amend the Local Government Act to reduce the number of local authorities in Queensland by about half.”

Since Mr Hinze’s promotion to Cabinet, he has not done that.

I wonder what type of speech the honourable member for Ithaca would have made if he was still a member of the Government. It is unfortunate that the member for Ithaca is still in the Liberal Party.

Mr Shaw: Are you sure of that?

Mr DAVIS: No, I am not; but I can only go on press reports.

Mr Shaw: You have not seen this afternoon’s paper?

Mr DAVIS: I am stating the position as it existed up to 10 minutes ago. If the member for Ithaca is still in the Liberal Party, he is doing what he, the honourable member for Nundah and other members of the Liberal Party did in 1972—express their hatred of the Brisbane City Council. It will be interesting to see how they vote on this Bill.

I should also like to see how one of the defective members—I am sorry; I mean “defector” members—of the Liberal Party, namely, the Minister for Transport, votes.

A Government Member interjected.

Mr DAVIS: I am sorry, but my time is limited. If I run short of things to say, I will pick up a couple of interjections.

I want to read to the Chamber what Mr Lane stated in 1972. He said—

“For some doctrinaire reason based on their republican concepts and the fact that they respect most the presidential system of election, the Opposition is basically opposed to this. Honourable members on this side of the Chamber do not subscribe to the presidential system in a great metropolis such as this. We cherish our allegiance to the Queen—”

then he saluted—

“and respect the Governor of this State, as it was envisaged we should at the time of Federation, when Queensland became one of the States of the Commonwealth of Australia. It is for this reason that honourable members on this side of the Chamber support the clause, which will bring about a system under which the Lord Mayor will be democratically elected by his fellows in the council in accordance with the true concepts of parliamentary democracy. That is why I support this clause.”

Those comments show quite clearly that the honourable member for Merthyr wanted to get rid of the system under which the general public elected the Lord Mayor. If a division is called on this motion, I want to see on which side the honourable member for Merthyr votes. In 1972 he stated his allegiance to the Throne and to the Constitution. He could not possibly vote in favour of this motion. I hope that the honourable member for Ithaca—if he is still in the Liberal Party—

Mr Hamill: He is over there.

Mr DAVIS: I am pleased to see that the honourable member for Ithaca has gone over to the right side. If a division is called, all the eyes will be watching the member for Merthyr, the Minister for Transport, to see how he votes.

A Government Member interjected.

Mr DAVIS: The new-look National Party, with its great honourable thoughts, ambitions and hopes for the future of this State, surely could not have in its ranks a viper who would vote against it.

The Labor Party does not want to see political interference with any local authority. Because of the Minister's past association with local government, he has interfered time and time again. The interference by the Queensland Government in local government is well known.

Mr Hinze: That is not true.

Mr DAVIS: The Minister did not do a bad job on the Gold Coast with my good friend Sir Bruce Small. He interfered with and abolished the council for some time. He has interfered with council after council. He has not kept his promises.

Mr Turner interjected.

Mr DAVIS: The member for Warrego has made a suggestion that he is the best Minister we have ever had. I like the member for Warrego—

Mr DEPUTY SPEAKER (Mr Booth): Order! He is the Honourable the Minister for Primary Industries.

Mr DAVIS: I apologise. I should have recognised his promotion. I cannot get used to the fact that he was appointed to the Ministry.

Mr Wharton: That has nothing to do with the Bill.

Mr DAVIS: It has something to do with the Bill. As far as I am concerned, I have some time remaining to me. The Leader of the House and I have been working quite well together.

Although I do not intend to criticise the member for Pine Rivers, I point out that one provision of the Bill deals with the election of Brisbane City Council aldermen. If the Bill is passed, it will mean that an alderman must resign in order to become a member of the Legislative Assembly. I would like to know what the Minister is going to do with some of the other local government legislation. The mayors of some local authorities are full-time aldermen. The member for Pine Rivers receives very healthy compensation for the meetings that she attends. She should resign as a councillor or resign from this Assembly. She cannot have it both ways.

Mr Lee: You will admit that I did Clem Jones like a dinner, won't you?

Mr DAVIS: Fact number one is that the member for Yeronga defeated Clem Jones. Fact number two is that he was assisted by the greatest gerrymander every perpetrated in this State. So that it is on record, I point out that a redistribution was made. The pundits came out and said, "The member for Yeronga is history." In a short while, a huge piece of Rocklea was taken from the electorate of Yeronga and placed in the electorate of Archerfield. That was the greatest gerrymander that has ever occurred.

The Opposition does not want interference in the Brisbane City Council. The Government should take its hands off the Brisbane City Council.

Mr HAMILL (Ipswich) (4.44 p.m.): I endorse the remarks made by my colleague the member for Brisbane Central. There will be considerable gnashing of teeth and conflict of loyalties among honourable members who were in this Chamber 12 years ago when the present City of Brisbane Act was being discussed. We have seen already that the honourable member for Ithaca does not know whether he is coming or going. He shares that predicament with the Minister for Employment and Industrial Affairs. Three other members opposite would have been prominent 12 years ago in the move to amend the City of Brisbane Act. They are the honourable members for Mansfield and Maryborough, and the member for Merthyr, who is now Minister for Transport. It is interesting to note that those members have not participated in the debate this afternoon. It will be interesting to see whether the road to Damascus that they have trod in terms of their political allegiance is also reflected in their attitude in relation to the amendments to the City of Brisbane Act.

The points that need to be raised are the ones relating to the interference faced by the Brisbane City Council from successive State Governments. In 1972, the ward system of the Brisbane City Council was substantially altered to produce 21 wards and a Lord Mayor who had to be elected first as an alderman and then by the members of the council. At that time, the Government went to great pains to justify that change in representation in the city of Brisbane. If we boil down the arguments that were put, there was only one basic argument—and I am sure that the Minister would acknowledge it—which was that the Government saw that the city of Brisbane needed changing. The attempt was to alter the political configuration of Brisbane in a way that was more favourable to the then State Government. Those basically crude political motives lay behind such high-minded amendments to the City of Brisbane Act.

The change reducing the number of aldermen from 28 to 21 came at a time when the city of Brisbane was growing. It is difficult to reconcile growth in the city of Brisbane with a point made by the Minister in his second-reading speech. He argued that the number of wards needed to be increased because of population growth over the last 12 years. I agree with the Minister's facts, but I suggest that his motives are identical with those behind the amendments made to the Act by the then Minister for Local Government, the late Mr McKechnie.

The arguments used in 1972 are now being reversed. The number of wards is to be increased to 26. It always struck me as a gross anomaly that, following the last amendments to the City of Brisbane Act, city council aldermen had a responsibility for a larger number of electors than State members representing electorates within the city of Brisbane. Again, I sheet that home squarely to the motivation behind the

amendments—one of securing political advantage, with no concern for the relative welfare of the rate-payers of the city of Brisbane or, indeed, for the quality of government in the local authority area of the city of Brisbane.

A number of aspects of the Bill are very disappointing indeed. Although the Opposition is totally and implacably opposed to the intent behind the Bill—that is, the intent to manifest political interference in the operations in the city of Brisbane—it is unable, because of the Standing Orders of this House, to amend provisions of the City of Brisbane Act. If the Minister had been fair dinkum, honourable members could have considered such aspects as the zonal system that operates in the city of Brisbane and the electoral tolerance above and below the quota that exists in the substantive City of Brisbane Act. It is to those points that I wish to direct my remarks this afternoon.

It is interesting to find emerging in the City of Brisbane Act that hoary old chestnut of the National Party—the idea of zones. The City of Brisbane Act amendments passed in 1972 made provision for two zones, one on the north side of Brisbane and the other on the south side.

I have heard the zonal argument raised in this place to try to justify the gross malapportionment and bias in the Queensland electoral system. It has been argued that the zones are necessary to ensure that people in the different areas of the State have their particular interests recognised. The argument is that people who live in Cairns, for example, would have different interests from those who live in Mulgrave. That argument does not hold water; nor does the argument that there ought to be two zones in Brisbane, one on the north side of the river and the other on the south side. It might just as easily be justified that there be a zone in the east and one in the west, on the basis that the sun casts its rays on the eastern side before it gets to the west. It is a load of nonsense. There can be no justification for two electoral zones in the city of Brisbane. The area is a cohesive local authority. There really is not such a difference between people who live on the south side and those who live on the north side. Certainly, their interests—economic, social and regional—are absolutely identical. To persist with a zonal system in the city of Brisbane is a gross anomaly and one that I believe fetters the possibility of electoral redistribution in the city of Brisbane in the future.

The 1972 amendments to the City of Brisbane Act provided for 11 wards in the North Brisbane Zone and 10 wards in the South Brisbane Zone. In his second-reading speech, the Minister said that the present voting populations in the North and South Brisbane Zones were almost identical—the difference is approximately 1000. So, once again, how can a zonal system be justified? What should be drawn to the Minister's attention is that, on his own figures, there has clearly been a substantial population growth in the South Brisbane Zone of the Brisbane City Council. Even though that is the case, the current proposals will lock the City of Brisbane Act into not being able to afford additional representation in either zone, whether it be the north or south, even though considerable population growth may occur during the term for which these present arrangements will be in force.

Because that allows no recognition of population growth in any region of the city of Brisbane, be it north or south, to be reflected in additional wards or, alternatively, for adjustments to be made to ensure that central city wards that may be losing population should be expanded or outer metropolitan wards such as those in the areas of Mansfield and Mt Gravatt should, because of their large populations, be diminished in size, it is a very dangerous principle. The proposals that the Minister has brought forward have not afforded the Opposition the opportunity to discuss the effect that growth in population will have on the electoral configuration of the Brisbane City Council.

A glaring absence from the Bill is the opportunity to discuss, and hopefully amend, the electoral tolerance of 20 per cent that is currently provided for in the City of Brisbane Act. At a time when State and national Governments are moving towards regular redistributions and reductions in the electoral tolerance from the old idea of 20 per cent to 10 per cent, in Queensland the Government, as in other areas of its legislative competence, is marking time.

Mr De Lacy: Don't you believe that acres and cattle get a vote?

Mr HAMILL: Acres and cattle get a vote in the western and far northern zones but, as I said, in the case of the city of Brisbane, those acres and cattle are not in evidence. The Government should be considering the people who are on the electoral roll in the city of Brisbane.

While the rest of Australia is moving towards a lower electoral tolerance of 10 per cent above or below, the Queensland Government persists with the old idea of 20 per cent. I can understand that only on the basis that the Government intends to sit back and allow gross population movement in the city of Brisbane before it again looks at electoral boundaries. In this day and age, that is unacceptable. The only way that electoral justice can be ensured, even at the local government level, is to recognise that population growth by adjusting local government boundaries.

In so many other local authorities in this State gross disparities exist in the enrolled population. One has to look no further than Logan city where recent figures cited in the press indicate that the Opposition in the Logan city, which does not have a majority, represents approximately 60 per cent of the rate-payers of that city. That is an example of the gross political distortion that exists because of unequal electoral enrolments and it should not be tolerated anywhere in this State, certainly not in the city of Brisbane.

I suggest that the procedures for redistribution in the city of Brisbane ought to be tightened up. An excellent example has been set in the recent Commonwealth legislation to establish an electoral commission. As the National Party has made submissions to that electoral commission, honourable members opposite would realise that this State should have an equitable electoral system. An electoral commission operating for local government—certainly for the city of Brisbane—as well as for the State is the only way to ensure that the political machinations that have been all too evident in the legislation brought down by this Government in relation to electoral matters can be kept out of local government politics in the city of Brisbane and, indeed, can set aside the allegation of blatant political motives in relation to establishing State electoral district boundaries in this State.

I commend to the House a number of the procedures that have been introduced under the new Commonwealth electoral legislation, because they do guarantee an apolitical determination of electoral boundaries. The Commonwealth has established a full-time electoral commission and has appointed independent persons to it. It is a very public process under which the community at large, both individuals and organisations, has been asked to submit proposals on the new Federal boundaries.

Mrs Chapman interjected.

Mr HAMILL: Obviously the member for Pine Rivers is not well acquainted with the new legislation. That does not surprise me. If she will remain silent I will acquaint her with the fine details of that legislation. Unlike the situation which prevails in this State, in which the Cabinet has the final say on boundaries, the Commonwealth Parliament does not have a final say over the electoral boundaries that will be used. The electoral commission has the final say, only after a lengthy procedure of individuals making submissions, and every person in the community having the opportunity to raise objections. Finally, the commission will bring down draft boundaries and, unlike the system operating in this State, there will be a fair and open hearing at which the electoral commissioners will have to defend the boundaries that they have brought down. Even members of the Opposition would be able to go along and offer, hopefully, their constructive criticism of those boundaries.

I do not see any good reason why a similar system could not operate in the city of Brisbane; why a similar system should and could not operate with the State electoral boundaries, because it is only by adopting that course that we can take the whole area of boundary-drawing and electoral redistribution out of the hands of those who have political motives and try to distort and contort those boundaries to meet their political ends.

Mr De Lacy: Are you aware that this present Minister said, "Give me the pen and we'll be in power for ever."?

Mr HAMILL: Indeed, and that is one of the very reasons why I am arguing this line this afternoon. It is very important to take the power over electoral boundary-drawing out of the hands of those who might be seen to benefit most from drawing the boundaries in a certain way.

Mr Veivers: You might also say that after today he will give horses a vote as well.

Mr HAMILL: That may be so. It already occurs in certain rural constituencies.

It is unfortunate that these important areas, such as the procedures by which the new electoral boundaries can be drawn, lie in the hands of the Local Government Department or the commissioners whom the Government appoints. We know the situation that prevailed when the honourable member for Yeronga was returned in 1972. Mr Davis has quite accurately and aptly dealt with that system this afternoon.

Mr Lee interjected.

Mr HAMILL: The honourable member knows only too well how the electoral map was changed from the first proposals that were brought down to the final boundaries that were determined.

In 1977 there was a partial redistribution. It was done with the stroke of a pen, instigated and overseen by Cabinet. That system cannot be allowed to continue. The only way to go about changing the system is to set up an independent electoral commission.

Mrs Chapman: Who appoints the commissioners?

Mr HAMILL: A fair question. The Parliament appoints the commissioners. However, the Parliament has no say over the final boundaries to be established. The Parliament has no say except that individual members can make submissions to the commission and, in the sort of democratic process of which the honourable member for Pine Rivers knows nothing, those boundaries have to be defended at a public hearing. No longer will there be redistributions behind closed doors pandering to the political desires of individual political parties. They will be carried out in the wide open spaces, and that is the way it should be.

It is about time more scrutiny was introduced into our electoral systems and the Minister has let us down in the case of the city of Brisbane.

Mr HENDERSON (Mt Gravatt) (5 p.m.): I draw the attention of honourable members to the public gallery of this Parliament and point to the fact that hanging over the railings are the aldermen of the Brisbane City Council. They are so interested in this Bill and the debate on it that they have come here in their droves. Obviously they are severely lobbying the members of the Liberal Party and of the Labor Party to ensure that justice is done. I thought that if they were really interested, they would have been here.

Mr DAVIS: I rise to a point of order. The honourable member's remarks are going into "Hansard". I point out that in the gallery there is nobody from the Brisbane City Council.

Mr DEPUTY SPEAKER (Mr Row): Order! In that case, nobody is offended, so there is no point of order.

Mr HENDERSON: The second point that I wanted to make has been made by my friend the member for Ithaca, so I will not canvass it in great detail now. I did want to point out what he pointed out. It is an extremely interesting exercise to look at the speeches that were made in this Parliament in 1972 and at the speeches that are being made now, put them side by side and compare them. As interesting as that, is the exercise of taking the editorials from the newspapers, putting them side by side and comparing them. They reveal a complete about-turn.

The Government admits that in 1972, when it changed the boundaries of the city of Brisbane, it made a mistake. The honourable member for Port Curtis said it rued the decision—and it did. The Brisbane City Council has been going backwards ever since.

I found it interesting that the honourable member for Ithaca should highlight that point. What has happened to the arguments of 1972? Suddenly the press editorials have changed their point of view. The Opposition has changed its point of view. It seems that Government members are the only ones in this Parliament to stand up and say that they made a mistake, and shortly I will tell honourable members why they made a mistake.

I also agree with what has been said in this Parliament, namely, that local government in this city is a unique form of government. I fully support that form of government. Incidentally, I disagree with the honourable member for Toowong. The Brisbane City Council should not be broken up into smaller councils. Because it is unique, it is worthy of unique consideration. Therefore, I find it appropriate that a special Bill should be introduced into this Parliament to deal with the city of Brisbane.

Yesterday I hosted several guests from the United Kingdom. When talking to them, I had an opportunity to refer to local government and to tell them about the Brisbane City Council. They said that the Brisbane City Council concept was a very good one. It meant, firstly, that aldermen can devote their energies full-time to the job; secondly, that the problems of cities are increasing very rapidly, and therefore people are required to be employed on a full-time basis to cope with them; and, thirdly, that the aldermen are very easily approached by their constituents. I support to the fullest the city-state concept of the Brisbane City Council.

It is worthwhile commenting on the proposal to have 26 aldermen and one Lord Mayor. I am certain that the Government has the courage to stand up and say that it made a mistake in Logan city in providing for 10 aldermen. It did not foresee a tied council. That tied council, elected initially by the residents of Logan city, has created enormous problems. Many of the problems—

Mr Davis: We told the Government about the problems when the Bill came in.

Mr HENDERSON: I do not doubt that for one moment. I am saying that the Government admits that it made a mistake, but this legislation attempts to correct that mistake.

An Honourable Member interjected.

Mr HENDERSON: I was not here, so I cannot apologise. Most of the problems facing the Logan City Council today can be traced to the bitterness that arose with the tied vote at the last Logan city elections.

I endorse the concept that a member of Parliament must resign his position to become a candidate for the city council. As the honourable member for Toowong pointed out, it is a stated fact that if I, or other honourable members, wanted to run for Federal Parliament, we would have to resign from this Parliament. That is good. It means that the person shows that he is fair dinkum in his stand.

Much opposition has been expressed to the concept of a popularly elected Lord Mayor. Many people say that it will be a waste of time. A couple of points should be considered in this regard and the member for Ithaca reminded me of one of them. The Brisbane City Council is the only council in Queensland that does not have a popularly elected chairman or mayor. It is important that the person who stands for Lord Mayor should be a person of great distinction and ability. I place on record, as I am sure other honourable members would, my appreciation of the great contribution made to the city of Brisbane by the former Lord Mayor, Clem Jones. He was able to achieve so much because he was Lord Mayor for the whole of Brisbane. In that capacity, he did not have to worry about holding his own ward. He did not have to worry about the day-to-day problems confronting aldermen and he could concentrate full-time on his job as Lord Mayor. That was one of the great, abiding features of the council of his day. He was a popularly elected Lord Mayor. I should add that that is probably an understatement, because Clem Jones will go down in history as one of the best and most popular Lord Mayors Brisbane has ever had.

I have read that following the redistribution of State electoral boundaries, the quota for a State seat in the south-east zone will be in the vicinity of 20 000 electors. At this stage, I do not know whether or not that will be so, but assuming that it is, some interesting statistics can be produced. Aldermen of the city council share the remuneration and other rights of members of this House to the extent of eight-tenths of a member's salary, plus

other benefits. Eight-tenths of 20 000 people is about 16 000. If that figure of 16 000 is divided into the population of the city of Brisbane, the result is about 26 or 27, which, in this context, will mean 26 or 27 aldermen. All the Opposition members doing mental gymnastics and trying to attribute to the Government psychotic reasons for the decision to increase the wards to that number now have an answer. If they do that mental exercise they will find that what I have stated is correct.

During the course of the speech made by the member for Toowong I noted that the member for Wynnum took exception to some of his comments and at one stage challenged him to step outside and make his comments away from the protection of this Chamber. Comments have been made about the partiality or the impartiality of the commissioners who will be appointed to draw up the boundaries of the city of Brisbane. I would throw the challenge back to the Opposition. When the commissioners are appointed, I would like members opposite to step into the street, name the commissioners and say that they are National Party stooges.

An Opposition Member: We have said that time and time again.

Mr HENDERSON: Opposition members should go out into the street and name them. Parliament is not the best place in which to name them; that is only criticising them unfairly.

The honourable member for Nundah and other members claimed that the people of Australia believe that there are too many politicians. I agree that that view is held by a very large number of the Australian people. However, the key question is: Why do they think that? I suggest that the answer lies not in cost or in number but in value.

It is up to the Australian Labor Party and the Liberal Party—and the National Party, if we decide to contest the council election—to ensure that their candidates are people who will command the esteem and confidence of the electors. Time and time again I have heard arguments based on cost. I believe that, where there is value, people are prepared to pay the cost.

The arguments about too many politicians, and politicians being overpaid, should not be advanced in support of having fewer politicians, but to try to obtain better politicians.

Another point raised by a number of members was that no-one has been screaming in the streets, knocking on the doors of this Parliament or on the Minister's door to indicate that more aldermen are necessary. I would add that no-one in the public gallery and no alderman has screamed, "We do not want more aldermen." I do not accept the argument that because no-one is saying that he or she wants something done, we should not do it.

The honourable member for Nundah argued that the way around this problem lay in providing better facilities, more secretarial help, better postage facilities and so on. I am reminded of the familiar story concerning the president of the Teamsters Union in America who rang the White House wanting to speak to Richard Nixon when he was President. The union president ended up speaking to the Secretary for Labor, to whom he said, "I do not want to speak to the janitor; I want to speak to the boss." We in politics must not lose sight of the fact that people want to speak not to secretaries or receptionists but to politicians and aldermen.

For that reason, I believe that if the number of electors in each ward is reduced to about 16 000, that will give the electors a better chance of talking to their elected representatives.

I commend this Bill, which embodies a fundamental democratic principle. It will allow aldermen to be more accessible to the people to Brisbane and, therefore, more answerable to the city of Brisbane.

I go on record as saying that in my six months in office I have gained a tremendous insight into the work-load that is carried by many aldermen in the Brisbane City Council. I have profound sympathy for them. I had no idea of the multiplicity, complexity or importance of the day-to-day problems that they deal with. The result of having more aldermen in the Brisbane City Council—which will be virtually a reversion to the situation that existed prior to 1972—will be better city council government. For that reason, I commend the Minister and the Bill.

Mr INNES (Sherwood) (5.14 p.m.): Mr Deputy Speaker—

Mr Hinze: If you can emulate him, you will be making a good speech.

Mr INNES: I propose to go on in my plodding way. Actually, I find it timely to follow the honourable member for Mt Gravatt, who is a city-based National Party member. He spoke about value. I will put a value on his representation. That value is \$216,000 per annum more for the rate-payers of the city of Brisbane than when he first sat in this Chamber this morning.

He is one of six National Party members representing the city of Brisbane whose actions today will lead to an increase of \$1.3m per annum in rates in Brisbane. Every time the rate-payers of Brisbane see the member for Mt Gravatt and the other members, they should see a price on their heads. That price is something like \$216,000 each per annum. That is the cost of the extra aldermen, the extra secretaries, the extra officers, the extra superannuation and the additional space required. It does not come cheap. The sitting members of the National Party find themselves in the inevitable dilemma of belonging to a party in which the overwhelming numbers come from outside the city of Brisbane, and they are taking part, albeit bravely, in this debate, as they have to, in the roting of the rate-payers of Brisbane.

The Minister is a very large and weighty man. He comes from a party that prides itself on close contacts with local government and on responsiveness to local government feeling. It is allegedly antisocialist and it is allegedly in favour of small government. He has lumbered and lunched into the biggest local authority in Australia, the Brisbane City Council, in contemptuous disregard for the feelings of the rate-payers of Brisbane and the elected local authority representatives of all parties, not just of a single party in the city council.

What are the motives? We know that there is no popular claim. We know that the majority of the population is against more politicians. We know that the majority of the population is against paying for more politicians. We know that there are no representations from elected members of the biggest local authority in Australia calling for relief from the work-load. Why? If one recalls the Minister's statements, one will know that the Minister has groped for reasons. He has talked about increases in day-time population. I suppose that on that basis Festival Hall and Lang Park should get an alderman each. He has talked about the population increase. That is the flimsy excuse that he gave today.

In 1895, approximately 432 000 people in Queensland were represented in this House by 72 members in the Legislative Assembly and 41 members in the Legislative Council. There were 72 members in this House in a horse-drawn era when the population of this State was only half a million. On the basis of that representation, we should be looking at a House containing 300 members today. However, we are not. In a robust and sensible way people became representatives for more people rather than take the soft, unwarranted and unpopular option of increasing the numbers.

Mr Davis interjected.

Mr INNES: I hear some interjections from the Opposition. The Labor Party stood, as the Liberal Party stands, for small government. In six months we have seen the Opposition support the proposal to increase the number of Federal politicians by 36. It is proposing to put upon the people of Brisbane the expense of employing an extra seven persons, including one with the title of Lord Mayor. That is unwanted and unnecessary. What are the real motives? I suppose that one must find the real motives in politics. The Minister said, "Give me a pen and I can fix up the boundaries." The statements from the National Party do not seem to be an attack on the ALP. The National Party does not seem to be conducting an antisocialist exercise. Sir Robert Sparkes apparently believes that the ALP will win. That is a somewhat unusual remark for a person who is dedicated to antisocialism.

If we consider statements made in the House, it is not being done because the present Liberal members of the council are doing a bad job. We have heard a testimonial by the member for Toowong this afternoon as to the effectiveness, efficiency and contribution of the two Liberal members in his area. I will vouch that it is the same in mine and in other areas of the city. It is not because they are doing so badly.

People will remember that in 1972 there was only a single Liberal member of the council. Today there are 10. Today they are only one ward away from converting the biggest local authority in Australia to a non-socialist government. One cannot find in the Bill any consistency of anti-socialism. One cannot find anything wrong with the level of representation. One cannot find anything wrong with the present Liberal incumbents or the Lord Mayoral aspirants. Perhaps it is the old story: destabilise a political situation, in the hope that something will come out of it. The bitter political lesson of that, which ought to be remembered, is that the last time that happened the people rejected it overwhelmingly. They do not like people lumbering in from the South Coast and imposing upon them extra members of local government at an additional cost of \$1.3m.

This measure comes from a Minister who has experienced problems of the type created by this legislation. We in the Legislative Assembly are fully paid, full-time members. The city of Brisbane is the only local authority that is full time and fully paid. A meeting of that local authority can be called at any time. The aldermen are supposed to be on the job 24 hours a day. We are not talking about a rural shire, where we accept that the shire chairman should have additional powers because councillors cannot be called away from their full-time jobs at any tick of the clock. There is a good reason why things are different in the rural shires, and I say that with great respect to the rural shires. The reality is that, because Brisbane aldermen are full-time representatives, there is every reason why we should view the council in the same way as we view this Chamber. If the local authority is politicised and full time, we have to recognise the politics and create a set of circumstances in which the person at the top is definitely in control of the members in the chamber—just like this House. This Minister has had the problem of a chairman who is out of sorts with the majority of members. He has had to sack councils and appoint administrators. What he is proposing is a formula that is almost guaranteed to produce that problem at some time in the future.

There is no call for this move. If we are looking at genuine anti-socialist beliefs, there is no political reason for it. On the experience of the Minister, there is every practical reason why we should object to it. The Minister has wandered into the city of Brisbane like a bull in a china shop and I am afraid he is leaving some very expensive droppings.

Mr WHITE (Redcliffe) (5.24 p.m.): This afternoon we have heard much debate about this exercise. We have heard attempts by members of the Government to justify it on the grounds of increased population and the like. However, the reality is that this is a classic piece of National Party political buccaneering carried out by the Honourable Russell J. Hinze, who has no qualms about letting people know his feelings on fixing boundaries. I admire his political honesty. He has been prepared to admit openly that this activity is designed in the political interests of the National Party. At least the Minister is honest about it.

The member for Toowong made some half-hearted justification of the Bill. However, as the member for Sherwood has said, the member for Toowong, who is now re-entering the Chamber, will have to justify to the people of his electorate why the rate-payers of the city of Brisbane should have to pay an additional \$1.3m. He will have to justify the inference that something is wrong with the administration of the city of Brisbane at the moment. He has given a vote of confidence to the two Liberal aldermen with whom he has regular contact.

The honourable member for Toowong appears to be unaware of any real criticism. Where is it coming from? What is wrong with the representation? Are the people up in arms? Are people making complaints? The simple answer is, "No". I repeat: this is simply an act of political chicanery to keep the Liberal Party at bay. It is another example of the National Party getting into bed with the Labor Party, which was seen so recently in the history of this State.

Mr Bailey: Who wanted to get into bed with the Labor Party?

Mr WHITE: I don't know who is the whore, but that is for honourable members to decide.

Recently the Federal Government decided upon an additional 36 politicians. Why? For the vested political interests of the Labor and National Parties. It has been the Liberal Party that has consistently opposed additional politicians in this country. The Leader of the Liberal Party in this Parliament pointed out that Australia has something like 900 representatives. It is the most overgoverned country in the western world.

Mr De Lacy: Some people say we ought to do away with State Governments, that they are irrelevant.

Mr WHITE: I understand that is the policy of the Australian Labor Party.

I am pleased the honourable member raised that, because this debate raises the whole question of one's political philosophy. The differences between the various parties have been made very clear this afternoon. As has been said, the National Party advertises a policy of small government, of devolution of power and so forth. Yet, what do we see? An increase in the power to the executive and an increase in the number of politicians at the Federal and local authority levels. I will be interested to see what happens in the redistribution that will occur later in the life of this Parliament.

Mr Davis interjected.

Mr WHITE: The member for Brisbane Central is probably right when he raises the issue, because I am sure that the boundaries that will pertain in the future will make the current State boundaries look as though they were drawn by Archimedes.

It is time that both the costs and the rate of increase of politicians were more forcefully drawn to the attention of the people. Those points have been well taken.

The member for Mt Gravatt raised the question of the city-state. I support that. It is a good concept that, overall, has served Brisbane well. As has been pointed out this afternoon, the Liberal Party opposes the legislation.

Hon. W. D. LICKISS (Mt Coot-tha) (5.29 p.m.):

"We feel that the Brisbane City Council, by reason of the vastness and complexities of its operations, has no counterpart amongst the other local authorities in the State, and for this reason we feel that the method of selecting the Lord Mayor of the City of Brisbane has to be viewed in a different light from that of electing the mayors and chairmen of other local authorities."

They are not my words. I have quoted from page 243 of "Hansard" of 31 August 1972. They are the words of the late Honourable Henry McKechnie in introducing a Bill similar to this.

What I want to stress is that the then Minister, when he introduced the Bill, acknowledged that Brisbane is different. Not only is Brisbane the capital city of Queensland; it is a city-state. It was created as such in the 1920s and has persisted as such to the present moment. Certainly, it is different from other local authorities. Only in the last few days, the Local Government Act was amended to provide a different method of election of mayors and chairmen to councils and shires. But the Government did not use that Act to facilitate what it is trying to do today, because the city of Brisbane has its own special Act that created it as a city-state. Brisbane is different, and it ought to be looked at in isolation.

The problems prior to 1972 caused the Government of the day to bring in the legislation that provided for the number of aldermen to be 21 and for the Lord Mayor to be elected by the other aldermen. Tonight, that decision is being reversed. For what purpose? Has the present system failed? The Lord Mayor has been responsive to the majority of the council.

The introduction of a system under which the Lord Mayor is popularly elected could mean the onset of problems similar to those in the Gold Coast City Council. The end result was to give greater control to the Minister because of the turmoil within that council. The same thing could occur in Brisbane when the popularly elected Lord Mayor is out of kilter with the majority of the aldermen. All that would do is give greater control over the council to the Minister, and when great turmoil occurs, an administrator is appointed and democracy goes out the window in the area until another election is held. That could occur in Brisbane if this amendment is accepted. It was for that purpose that the Act was amended in 1972, and I can see no reason, other than a political one, for this legislation.

Much play has been made of the need for additional aldermen because there has been an increase in the population of the greater Brisbane area. But that same increase

affects members of the State Parliament. Following the Minister's logic, are we now to elect more State members, pro rata, to bring them back to the relative quotas that existed in 1972?

If that is the suggestion, let me cite some of the statements made when the legislation was introduced in 1972. The then Minister said that the responsibilities of aldermen were less onerous than those of members of Parliament, because a State member of Parliament not only has to look after his own electorate but also has to participate in the administration of the State. He said that that did not apply to an alderman, and, therefore, although there were 26 or 27 State members to look after the greater Brisbane area, only 21 aldermen were required to look after the same area.

I do not find any complaints about the difficulties of members of Parliament or their being able to cope with the increased work-load. Indeed, the population of some electorates has increased while that of others has diminished. I suppose that that is an argument for a redistribution retaining the same number of seats. The same argument could equally apply in relation to the Brisbane City Council. There could be an argument for the 21 wards to be redistributed, but I do not see that it means there is a need for an additional five aldermen. It seems to me that, under those circumstances, such a move could be afoot. Having held the responsibility of looking at some of these things, it seems to me to be a case of the Government trying to restore the position that existed prior to 1972 when the wards roughly coincided with redistributed State electorates. If that is the reason, it countermands the argument put forward in 1972 and is a pretty shoddy proposition.

Let me return to the question of the popular election of the Lord Mayor. What happens, for argument's sake, if the Lord Mayor does not have the numerical support of the aldermen? With the present powers of the Lord Mayor—and I notice that there is no attempt to alter them—a stage could be reached at which the council just could not operate. There could be a Gold Coast City Council all over again. Surely that is to be avoided.

Mr Lee: Just like the Logan shire.

Mr LICKISS: Yes, there are similar problems in the Logan City Council. Some of those problems should be avoided, and members should think things through before taking the drastic step of returning to something that was unsatisfactory in the past.

The legislation that has been introduced is not in the best interests of Brisbane, which is the capital of Queensland. Brisbane is a State within a State and needs special representation. The present system for the election of the aldermen and the Lord Mayor is the optimum that can be devised at this stage.

Hon. R. J. HINZE (South Coast—Minister for Local Government, Main Roads and Racing) (5.36 p.m.), in reply: The honourable member for Wynnum alleged that the Bill is politically motivated. This is not so. As I mentioned in my second-reading speech, the increase in the number of electors in the city of Brisbane since the last distribution in 1972 justifies the decision to increase the number of wards from 21 to 26.

In 1972, the number of electors was 390 100-odd. At 31 December 1983, the number was 478 539, an increase of over 80 000. Applying the quotas applicable for the 1972 distribution results in 13 wards in each of the North Brisbane and South Brisbane Zones. It is interesting to note that the number of electors in the two zones is very similar—238 799 in the North Brisbane Zone and 239 740 in the South Brisbane Zone.

The provision of the Bill that provides for the Lord Mayor of Brisbane to be elected by all the electors of the city follows a corresponding provision in the Local Government Act Amendment Bill recently passed by Parliament. The Government considers that the mayor or chairman of a local authority should be elected at large and that a chairman so elected is in the best position to administer local government in his area.

The Government considers that it is untenable for the mayor of a local authority to be in a position where he can be removed from office by a majority of the members of his council on giving 14 days' notice. This can lead to ganging up on the mayor, and we feel that this is undesirable. At times, we have seen evidence of that. The Bill will

prevent it from happening in the future. Of course, the Local Government Association has been very strong in its representations to me. I hope that honourable members will understand the position and not say that the introduction of this Bill is a political stunt.

The honourable member for Wynnum referred to the provision that provides that a member of the Legislative Assembly will not be capable of being an alderman. The Government thinks this is a fully justifiable amendment. Unlike a member of a local authority outside the city of Brisbane, a member of the Brisbane City Council is paid a fairly substantial salary. In our view, this denotes that the office of a member of the Brisbane City Council is a full-time one. Accordingly, the Bill provides that a person shall not occupy, at the one time, the offices of member of the Legislative Assembly and of member of the Brisbane City Council. The Government considers that the provision is sound and is supported by the community.

The honourable member for Nundah opposed the increase in the number of aldermen. This has already been covered in my reply to the member for Wynnum.

The honourable member also raised the question of the provision of better facilities and the payment of allowances to aldermen. The provision of facilities is a matter for the council itself. The payment of allowances would be a matter for legislation. If the council elected after the March 1985 triennial election considers that aldermen should be paid allowances and makes application to me setting out the grounds, I will give the proposal careful consideration.

The Government recognises that the local government system applying in Brisbane city has been an unqualified success. It is the envy of other capital cities. A multitude of local authorities in other capital cities causes considerable problems in the provision of services and in town-planning.

If the honourable member for Mt Coot-tha, who has just spoken in the debate, had half a chance, he would break Greater Brisbane up into a number of little local authorities and take the city back to the dark ages of the 1920s. This Bill will further strengthen the Brisbane City Council.

The honourable member for Toowong complained about bureaucracy in the Brisbane City Council. This Bill has no relationship to that subject but it does provide for better representation for the people by increasing the number of wards to 26.

Next March the electors will have full opportunity to elect a new council to administer local government in the city of Brisbane.

The honourable member for Ithaca drew attention to the fact that the policy for the mayor and chairman of local authorities to be elected at large was always Labor Party policy but, judging from the outcries by the Opposition, that policy appears to have been scrapped.

The honourable member also questioned the reason for increasing the number of aldermen. As I mentioned previously to the honourable member for Wynnum, the increase in the number of electors in Brisbane since the last redistribution in 1972 justifies the increase in the number of aldermen provided for in the Bill.

The honourable member for Brisbane Central claimed that there is political interference by the State Government in the affairs of the Brisbane City Council. Nothing could be further from the truth. As Local Government Minister I have been fortunate to enjoy an excellent relationship with the Lord Mayor and his predecessors. Meetings are held to iron out any problems that arise between the Government and the council and this has worked very satisfactorily. Some people would not be happy about that.

An Opposition Member: That's because you stand over him.

Mr HINZE: I have never stood over him.

Indeed, Alderman Harvey acknowledges the co-operation that he receives from me and from my department. He never refrains from saying so publicly.

The member for Ipswich implied that the Government would have the final say in the distribution of wards in Brisbane. This is not so. The principal Act provides that it is a function of the electoral commissioners after advertising their proposals for objection, to make a report on their distribution and furnish a map illustrating the boundaries of the

wards. Under the Act, these boundaries have to be proclaimed by the Governor in Council and the Government has no power to alter the boundaries of wards as determined by the commissioners.

The honourable member for Mt Gravatt supported the principal of a Greater Brisbane City Council. As I have said previously, the large number of local authorities in other capital cities had led to many problems. This Government has no intention of interfering in the concept of a Greater Brisbane. The honourable member has also recognised the important work being done by aldermen of the Brisbane City Council and he has supported this Bill. I thank him for his contribution. It was one of the remarkable contributions made by new Government members.

The honourable member for Sherwood dealt with the additional costs associated with the increase in the number of aldermen. Undoubtedly there will be additional cost but the need for extra members must be considered because of the increase in the number of electors since the 1972 distribution.

The Brisbane City Council is Australia's largest council and has a budget at least as large as that of the State of Tasmania. Of course, Tasmania is represented by far more than 26 parliamentarians. In a local authority as large as Brisbane, the extra costs involved in creating more aldermen should not be a deterrent to granting electors the representation to which they are entitled.

The member for Redcliffe opposed the Bill on the ground that it is politically motivated. I have referred to that claim and I think that he was speaking more in jest than in a serious vein.

The member for Mt Coot-tha said that the Bill could give the Minister greater powers than the BCC because an elected mayor could be of a different political persuasion than the majority of aldermen and this could lead to internal problems. This is an hypothesis and it is not envisaged that problems will arise.

Motion (Mr Hinze) agreed to.

Committee

Mr Randell (Mirani) in the chair; Hon. R. J. Hinze (South Coast—Minister for Local Government, Main Roads and Racing) in charge of the Bill.

Clauses 1 and 2, as read, agreed to.

Clause 3—Repeal of and new s. 5; Composition of Council—

Mr HENDERSON (5.44 p.m.): The member for Sherwood said that each of the National Party members who represents a city electorate should go to his electors and explain why he supports a Bill that, for each alderman, adds an extra \$216,000 a year to the rate-payers' costs or a total of approximately \$1.3m.

I point out to the honourable member that the recently introduced legislation to cover fire levies will save that amount of money. So what the people of Brisbane will be getting is better representation virtually for nothing. It will not cost the Brisbane City Council any additional money. The cost will be saved by an Act that was passed by this Parliament to cover fire levies. That money is directed at giving better representation at local government level. I reject the argument of the honourable member for Sherwood.

Clause 3, as read, agreed to.

Clauses 4 to 18, as read, agreed to.

Bill reported, without amendment.

Third Reading

Hon. R. J. HINZE (South Coast—Minister for Local Government, Main Roads and Racing), by leave, without notice: I move—

“That the Bill be now read a third time.”

Question put; and the House divided—

Ayes, 63

Alison
Bailey
Bjelke-Petersen
Booth
Borbidge
Burns
Cahill
Campbell
Casey
Chapman
Comben
Cooper
Davis
De Lacy
Eaton
Elliott
FitzGerald
Fouras
Gibbs, I. J.
Glasson
Goleby
Hamill

Harper
Harvey
Henderson
Hinze
Jennings
Katter
Kaus
Kruger
Lane
Lester
Lingard
Littleproud
McElligott
McKechnie
Menzel
Milliner
Muntz
Newton
Powell
Prest
Price
Randell

Row
Scott
Shaw
Simpson
Stephan
Stoneman
Tenni
Turner
Underwood
Vaughan
Veivers
Warburton
Warner, A. M.
Wharton
Wilson
Wright
Yewdale

Tellers:

McPhie
Neal

Noes, 6

Knox
Lee
Lickiss
White

Tellers:

Innes
Miller

Resolved in the affirmative.

[Sitting suspended from 5.59 to 7.15 p.m.]

QUEENSLAND TRANSPORT AND TECHNOLOGY CENTRE BILL

Second Reading—Resumption of Debate

Debate resumed from 10 April (see p. 2566) on Mr I. J. Gibb's motion—

"That the Bill be now read a second time."

Mr WRIGHT (Rockhampton—Leader of the Opposition) (7.15 p.m.): The Opposition supports the Bill, which has been described as an impressive, exciting piece of legislation. I agree that to preserve the State's heritage and to do everything to hold the State's history is important. All honourable members would be aware that Queensland had a number of pioneers in aviation. Whether one thinks of Qantas or the opening up of the outback by the flying doctors, it is obvious that Queensland has played a very significant part in aviation history, as it has in the development of transport techniques and technology. For those reasons, the Opposition welcomes the legislation and supports it in principle.

However, as is the right of the Opposition, I wish to question some aspects of the Bill. First, I question why this specific site was chosen. Before entering the Chamber, I made a comment partly in jest and perhaps with some seriousness. When the matter was raised in the Opposition's committee, the questions was asked: Why was this area fixed? Why not, for instance Bundaberg, which has an exceptional history in aviation through Bert Hinkler; or Townsville, which, through the air force, has had a link with aviation for many years? When one comes to transportation history, why not central Queensland, which, through railways and the development of road transport, has played a very important part in the development of the State?

The Opposition has a suspicion that the site was selected because of political influence. No doubt it is just a coincidence that the Minister for Mines and Energy, who is acting on behalf of the Premier tonight, represents the electorate in which it will be situated and is also a member of the board. No doubt he has a personal interest. I do not cast aspersions on him for that, because at this very moment I am seeking to establish what is called a heritage museum centre in my area. I have sought Government funding. I have been in touch with the Queensland Museum to get expert advice on how to go about that. The first public meeting will be held very shortly. Therefore, I do not doubt the Minister's interest.

I think I need to speak about why the Minister has been appointed to the board. I have said that there is some suspicion about political influence. If one goes through the nominees who were mentioned in the second-reading speech, one finds Sir William Allen. I believe that he is a trustee of the National Party. Another member is Mr Bill Heck, who also is a member of the National Party. Obviously, the Minister (Mr Gibbs) is a member of the National Party. Miss Beryl Young is another member. I remember a public comment by her that she would not work for any other Government. That may be because of a personal allegiance to the Premier, but it could be because of her own party political persuasions. However, if one counts up the members of the board and sets aside, for instance, the Co-ordinator-General or his nominee, who, no doubt, will be bound by the Government of the day, the director of the Queensland Museum, who certainly is an independent person but is under the influence of the Government, one counts four of the five members who will be nominated by the Minister. This is more than just a quango; it is a National Party controlled quango.

If I am wrong, and if the Minister is looking for people who have a special interest and a special desire to see such a project proceed I ask him to consider the precedent that has been set by appointments by the Government to the senate of the University of Queensland, which has one Government appointee and one Opposition appointee. If one looks at the Australian Bicentennial Committee, again one sees that it has one Government appointee and one Opposition appointee. I bring to the attention of the Minister and the Parliament that in the ranks of the Opposition are two members who have a special interest in flying: one is the member for Stafford (Dr Denis Murphy); the other is the member for Everton (Mr Glen Milliner). Both have pilot's licences and both are flying enthusiasts. As the Minister is still allowed to appoint one other person, consideration should be given to following through on the precedents that have been set with the University senate and the Australian Bicentennial Committee and appointing a member of the Opposition, not so much to counter the Minister as to play an Opposition role on the board. I notice that the Minister for Works and Housing is nodding to indicate the affirmative. I hope that he will take the matter to Cabinet and support our recommendation that the member for Everton be appointed.

Mr Wharton: I was smiling at your attitude. I couldn't help it.

Mr WRIGHT: But the Minister would agree that to remove any suspicion that this is a political set-up—

Mr Wharton: There are no suspicions at all.

Mr WRIGHT: Is that an admission that it is a political set-up? One would start to wonder, because if one looks at the names one finds National Party interest supreme. I realise that that is typical of the way quangos have been set up in this State. The Government has ensured that it has that control, that it has its party hacks appointed to various bodies. But this is not an organisation that should be run by party hacks; it has a very important responsibility.

There is some question as to the feasibility of the project, and I note that although in his second-reading speech the Minister drew a parallel with Expo, he has not come forward with projections as to its overall feasibility. Unlike the former Deputy Premier (Dr Edwards) when he was party to the Expo legislation and produced for every member a detailed submission setting down the costs that were expected, the anticipated number of visitors and

information relative to profitability, in this instance although the word "Expo" has been used and a parallel drawn between the concepts, we have not had any forward projections on costs and visitors. I ask whether the viability of the project is suspect. I had hoped that a well-prepared feasibility study would accompany this Bill to give members a greater detailed understanding of what is proposed, but that has not happened. I feel that all members of the Assembly would want to see this project self-financing. But will it be?

The next question is that of accountability. One notes that the legislation refers to reporting to the Minister. When he spoke about public accountability in his 1983 speech, the Auditor-General stressed the importance of accountability not only to the Minister but to the Parliament. I would have thought that as this is new legislation—pioneering legislation—there would be a willingness on behalf of the Government and the Minister to ensure that there was reporting to the Parliament. After all, public funds are involved. A risk is being carried by the tax-payers of the State, at least in part. I therefore believe there should be that accountability.

The other aspect that I wish to raise is the mention made in the Bill of additional land requirements. With all sincerity and in all seriousness, I ask the Minister to give an assurance that the adjacent land does not involve him and that no adjacent land that could be used or be required in the future for the aerodrome or for an extension is owned by him, his family, any of his companies, or by any National Party person or member of this Parliament. We need to have that assurance, because it has been made very clear that one of the clauses—I realise that I am not to get into any detailed discussion of the clauses—provides power to reserve land for the purpose of the centre. There is another reference to the application of laws for taking land. So under the Acquisition of Land Act 1967-1977 it will be possible for this centre, through its board and management committee, with the sanction no doubt of the Government, to acquire further land. We have a right to know who owns land at present, and whether or not any of the National Party members of this Parliament including the Minister himself or anyone else is linked in any way with those additional areas.

I said before that the Opposition does support the Bill, I have raised those matters and I will mention a couple of other issues in the Committee stage. I do question the lack of information relating to viability, numbers and costs, but I have challenged, in my own way, the political stacking of the board. However, I want to make it clear that we do support the concept.

There is a strong body of support in the Opposition for the preservation of the heritage of this State and for the promotion of museums. I hope that the Minister might see his way clear to take to Cabinet the idea that this concept needs to be extended from the area of transport and technology into the area of the history of this State.

In my recent visits round the State, I visited towns such as Charters Towers that are living museums. Given the proper financial back-up, those types of heritage centres would be great tourist attractions. They would be money-makers in their own right but, more importantly, they would preserve the history of our State.

This concept could be extended to the mining industry and even to the promotion of a central Queensland railway museum. I realise that there is a railway museum in Brisbane. I think that you, Mr Deputy Speaker, being a north Queenslander, would agree that everything seems to go to Brisbane. I appreciate the population advantages, the fact that a throughput of visitors is required to provide viability and the fact that Brisbane is an international airport. But now there are international airports in Cairns and Townsville. The Government has an obligation to ensure that when these schemes are promoted, alternative sites are considered. It should consider the benefits to be gained from promoting schemes in other parts of the State.

I conclude by saying that the Labor Party supports the concept. I would appreciate an assurance from the Minister that neither he, nor his family, any of his companies, any member of the board or any member of the Government has an interest in any of the land surrounding this centre.

Mr VAUGHAN (Nudgee) (7.27 p.m.): The Queensland Air Museum has been located in my electorate for many years. Originally, it was set up alongside the road to Cribb Island. Following the resumption of the Cribb Island area for the redevelopment of the Brisbane Airport, the people who run the museum had difficulty in finding a site on which to store their aircraft. They have a Canberra bomber, a couple of Fleet Air-Arm aircraft and a large quantity of aircraft equipment.

The people associated with the Queensland Air Museum are very dedicated. Dick Hitchins, who is the president of the Queensland Air Museum, is a very dedicated person. For many years he has been trying to obtain a site either in the Brisbane area or in the outlying areas on which to house the museum's collection. Unfortunately, he had not been able to obtain a site. He had plans prepared for a site at Redcliffe but, unfortunately, because of lack of funding, it fell through. At present, the museum's aircraft are stored alongside the cross-wind runway just off Nudgee Road in the electorate of the member for Nundah. As I say, for many years these people have been trying to find an alternative site. I know that they welcome the opportunity to be provided by this centre to store and present their aircraft.

As I have said, they are very dedicated people. They have put a lot of time into restoring aircraft. They are trying to preserve their aircraft but, unfortunately, the aircraft are stored in the open. When this centre is established, they will have an opportunity to display their aircraft and to use the centre's workshop facilities. They have not had decent workshop facilities. These dedicated people possess many skills and are prepared to devote a good deal of time to restore the aircraft that are part of our aviation history. As I say, when this centre is established, they will have access to decent workshop facilities. They will be able to present an exhibition that will display the aviation history of this State.

The Bill refers to an aircraft display located outside Mudgeeraba. I think it is called the "chewing-gum" field. I sincerely hope that the aircraft on display there will become part of the museum. There has been some doubt about that, but it is worth noting that the aircraft in that collection are still in flying condition and form a very good display.

I am aware that in Townsville people connected with Rundle Air Service have spent much time restoring aircraft which would be an asset to the Queensland Transport and Technology Centre. The Minister for Mines and Energy, who introduced this legislation, mentioned that the Mines Department and the State Electricity Commission would have displays in the centre. That is very pleasing because the State has a long history of mining and this is an excellent opportunity for it to be recorded.

I must comment on the composition of the Queensland Transport and Technology Centre Board of Trustees. The board will comprise the Co-ordinator-General, the director of the Queensland Museum, the Director of Operations for the Government Air Wing and up to five other people nominated by the Minister. The Director of Operations of the Government Air Wing is the Premier's pilot, Miss Beryl Young, and although I do not disagree that she should be a member of the board, if I were Premier, I would want her to be fully devoted to the maintenance and running of the Queensland State plane. It is probably a mistake to extend her duties to cover this function.

The Bill provides that, in addition to the Co-ordinator-General, the director of the museum and Miss Young, five other people will be appointed to the board by the Governor in Council. I ask the Government to appoint a representative of the Queensland Air Museum to that board. The most appropriate person would be Mr Dick Hitchins because he has devoted much time and effort to the Queensland Air Museum, despite very difficult circumstances.

Mention has been made of the \$760,000 to be granted to the centre from the bicentennial fund. In the Minister's reply, I ask him to elaborate on how the funding for the centre will be arranged so that Opposition members and the people have a better idea.

That is the extent to which I wish to contribute to the debate but I would like to emphasise the role that has been played by the Queensland Air Museum in an endeavour to preserve the aviation history of the State.

Hon. I. J. GIBBS (Albert—Minister for Mines and Energy) (7.35 p.m.), in reply: I thank honourable members for their support for the Bill. I will endeavour to answer the various questions that have been asked.

The Leader of the Opposition said that Queensland had a number of pioneers in the history of flight. That is certainly so. Qantas is a major airline that commenced its operations in Queensland. Great emphasis will be placed on our history in air navigation.

Unfortunately, we cannot acquire the "Southern Cross" from Brisbane Airport. However, it will be relocated, so that large numbers of people can view it. That is good.

Bundaberg and Townsville also played an important part in the history of air navigation.

Mr R. J. Gibbs: Will the aircraft from the Queensland Museum go to the centre?

Mr I. J. GIBBS: That matter has not been discussed yet.

Mr R. J. Gibbs: Why not?

Mr I. J. GIBBS: That is another story. I am sure that you will not mind, Mr Deputy Speaker, if I ignore that ignorant member.

As I said in my second-reading speech, the board of trustees will comprise Sir William Allen, Bill Heck, Mike Seymour, Dr Alan Bartholomai, and the Director of Operations, Government Air Wing, who, at present, is Miss Beryl Young. Certainly Sir William Allen is trustee of the National Party, but he is also a very successful businessman. With Sir John Egerton, he is a member of the Qantas board. He has been chosen for his expertise. He is a very good businessman—and don't forget that this centre will be a business.

Mr R. J. Gibbs: What about Bert Hinkler's aircraft from the Queensland Museum?

Mr I. J. GIBBS: I will try to reply to members' contributions without interference from the Opposition member who suffers from athletes mouth.

Reference has been made to my home not being far from the site of the centre. In fact, my home is approximately 5 km away, on the other side of the road and over a mountain. It would be very hard to link my property with the centre. I might add that I have no land for sale in the area. I give the Leader of the Opposition my assurance that I have no interest in any of the land in the area. Additional land is being acquired to construct a 1 000 metre airstrip to cater for the various aircraft that will be brought to the centre. Already, engineers have plotted the location of that strip.

Mr Wright: Who owns that land?

Mr I. J. GIBBS: I do not know who owns it, but it is adjacent to the site. It is not my job to know who owns it; that is the responsibility of the constructing authority.

The Leader of the Opposition referred to the history of Charters Towers and many other places in Queensland, including Mt Morgan. A great deal of history can be found throughout Queensland. I learned that when I was responsible for museums and national parks. Through the bicentennial committee and the natural resources committee, a considerable amount of work has been done in those places. I am very keen to have those areas preserved.

The site at Coomera is a very good one and will play an important role in the development of museums in Queensland. One of the factors that influenced the Government's selection of the site was the availability of an existing Crown reserve with a large highway frontage opposite Dreamworld. That was one of the first considerations when a site was being selected. Another factor was the suitability for siting an airfield. It is very difficult to obtain land that is suitable for a 1 000 metre airstrip. An enormous amount of work went into that aspect. Another factor was access and view from the Pacific Highway and the proximity to Dreamworld, which is one of the Gold Coast's biggest attractions for visitors. Within the next year or two, Dreamworld is expected to cater for one million visitors a year. It has a great deal to offer.

A museum is very expensive to operate. It is expected that a large number of persons will visit the museum and that admission charges will offset the very high cost

of operating it. Pannell Kerr Forster has been commissioned to carry out a feasibility marketing study on attendances. Gutteridge, Haskins & Davey Pty Ltd has done some site work and has conducted a feasibility study for the purpose of choosing a landing site.

As to accountability—I refer honourable members to clause 31 of the Bill, which states—

“(1) The Board shall, not later than 31 October in each year, furnish to the Minister a report on the Board’s operations during the year ended 30 June in that year.

(2) The report shall include the Annual Statements of Account together with the certificate of the Auditor-General prescribed by section 30.

(3) The Minister shall, within 14 sitting days after a report of the Board is received, cause the report to be tabled before the Legislative Assembly.”

Mr Wright: I accept that. That was an oversight.

Mr I. J. GIBBS: It goes all the way with accountability.

The board has the power under the Bill to negotiate with the Queensland Museum to exhibit from the State museum, and vice versa. There is complete flexibility. It will be possible to alternate some exhibitions. The new museum being built in Brisbane is, in the main, a showcase museum. There is no room in Brisbane for a transport museum. The site at Coomera provides an area of between 70 and 100 acres. The museum will be able to display its contents properly. I am sure that everyone will be proud of it.

As to funding—the Bill provides for grants to be made and agreements with commercial organisations. As a statutory body, it will have access to the State loan program. It will obtain receipts from concessions and admission charges. A great deal of work must be done on that. The work is being done properly and the final result will be an excellent museum.

I have made some reference to the payment of wages. Private enterprise cannot make a profit out of a museum that must display aircraft and other valuable items. I believe that, with an amalgamation of State funding and income from admission charges, the museum will pay its way. It will continue to preserve the technology of yesterday, today and tomorrow.

I have been asked why provision is made for arrest without warrant. Police protection must be provided. A large number of objects of great historical value will be stored at the museum. It may be necessary for immediate police action to be taken.

The honourable member for Nudgee spoke about the Queensland Air Museum. I might add that my interest in aircraft stems from my days as the Minister having the responsibility for museums. I had a great deal to do with Dick Hitchins and his dedicated group. They have done an enormous amount of work. I tried to assist them to establish their museum, and I worked hard for them for about 18 months. In those days, I introduced them to the Coomera site. Although a site may be suitable, the cost to a group such as that is enormous. In fact, it is financially difficult for them to refurbish aircraft.

Today, Air Vice-Marshal Bennett came to see me. He is the patron of the Queensland Air Museum. The air museum will be involved. We are trying to help relocate some gear that is presently in buildings that will be affected by Main Roads Department activities. We have letters of offer from the Queensland Air Museum and a complete list of their gear. The air museum will be an important and integral part of the Queensland Transport and Technology Centre. Mr Hitchins will not be on the board, but there will be advisory committees. His group can participate in one of those committees. It has to be understood that, with their collection, they will in some way be involved in a commercial venture. They may seek assistance for refurbishing and so on. In that event, they would no doubt finish up on an advisory committee. We hope that their patron can play an important part.

The Townsville collection is an important one. We have had correspondence from people all over Australia on the step we have taken. The “chewing-gum” air museum has been mentioned. Two collections are down there, one belonging to Cliff Douglas and the other to Malcolm Long. We have negotiated to buy all of Malcolm Long’s collection, and we are negotiating to buy the “chewing-gum” collection. We are currently negotiating to purchase two or three other collections. The Joe Drage collection at Wodonga, which was mentioned, was under offer to the Wangaratta Shire Council in Victoria.

The council took up its option, so Joe Drage's collection will be going there. Two or three planes in that are very important to Queensland's history—there is no doubt about that—but, fortunately, they are going to a good home. However, we have the major Australian collection in our hands.

It will be more than an aircraft museum. There will be a steam section and a section for every type of transportation.

Mr Scott: Did you say you have a DC3?

Mr I. J. GIBBS: I think we have a DC2, but not yet a DC3. I am quite sure we will get one. I believe that one or two are on offer.

I thank honourable members for their support. I am quite sure that they will be proud of the museum. Mention was made that Miss Beryl Young will be involved. Quite apart from the fact that Miss Young is in charge of the Government Air Wing, it is important that a lady be on the board to give it a balanced view.

Motion (Mr I. J. Gibbs) agreed to.

Committee

Mr Booth (Warwick) in the chair; Hon. I. J. Gibbs (Albert—Minister for Mines and Energy) in charge of the Bill.

Clauses 1 to 45, as read, agreed to.

Clause 46—Requirement to state name and address—

Mr WRIGHT (7.51 p.m.): In order to hasten the debate, I informed the Minister of two clauses to which I wanted to speak. The matter concerning clause 27 dealt with wages and the Minister answered that. Clause 46 provides that if a person who, pursuant to clause 44, is liable to be ejected from the centre and fails to state his name or place of residence or if the member of the police force who requests that name suspects on reasonable grounds that it is false that person may be arrested without warrant and dealt with according to law. I also note that the offence provision allows for a fine of \$2,000 or six months' imprisonment. I also note that clause 44 provides protection for the board when people are removed. Clause 49 allows the board to make all sorts of regulations.

All those things indicate to me that the Government has used a heavy-handed approach. The Minister did not answer my question. He said that the board needed the power to remove. An arrest without warrant has nothing to do with the power to remove. The Bill gives the police the legal right to arrest a person if he fails to give his name or give what is suspected to be a false name. I do not believe that sort of provision is required. Time and time again, when legislation of this type has been brought forward, the Opposition has opposed this sort of provision. The Opposition sees no need for clause 46 (2) and asks the Minister to omit it. If the Minister cannot see his way clear to do that, the Opposition will have no alternative but to oppose it by way of division.

Mr I. J. GIBBS: On a few occasions the Government has discussed this provision in various other Bills. I know that in the past the Opposition has opposed this type of wording. In a case of this nature, because of trusteeship that the Government has, not to mention the destruction that could take place by somebody who could not be apprehended under another law or held while a warrant for his arrest was obtained, it believes that the police should have the same power as they have in the case of a traffic accident to arrest without warrant a driver who has a positive breathalyser reading. The Government will have the responsibility for looking after the State's treasures and believes that the police should be given sufficient power.

Personally, I hope that the provision will never have to be used, but the legislation must provide for the protection of the State's treasures and the police have to be able to act accordingly. I am quite sure that the board would be very careful in instituting that sort of action. It is important that the power be included in the Bill and that it remain there.

Mr WRIGHT: Clause 44 states—

"If any person is found on any land or in any building comprising the Centre in contravention of a by-law made by the Board or is found within the Centre contravening or failing to comply with a by-law made by the Board any member

of the Police Force or person acting on behalf of the Board may eject that person from the Centre and take such steps as are necessary to prevent that person's re-entry to the Centre, using therein such force as is necessary for the purpose."

That is all encompassing. Surely that is all the power that is needed. The Opposition believes that a person should not be arrested without warrant. Regardless of the Minister's explanation, the Opposition has no alternative but to oppose clause 46.

Mr GOSS: I want to support the remarks of the Leader of the Opposition and comment on something that the Minister said. He used words to the effect that the board would be very careful about exercising its authority. The view of the Opposition is that the Government should not give boards or individuals the power to arrest citizens without a warrant unless the circumstances are serious and require it.

There is already adequate provision to eject a person, so what harm can he possibly do if he is ejected and kept off the site by force? There should not be power to arrest a person without a warrant, for example, for a parking offence, which would be an offence under the by-laws. But, for such a minor offence, if that person does not produce satisfactory evidence in the eyes of that individual, he can be arrested without a warrant. Why not simply eject him from the premises? If there is any destruction, or even attempted destruction, the offender can be arrested without a warrant under the Criminal Code, so there are adequate powers already.

Mr I. J. GIBBS: I thank the honourable member for his comments, which I take quite seriously. This matter was discussed at great length. The contents of the Expo '88 Bill and the Act relating to the existing museum were examined. It was known that there would be opposition to this provision, but it was felt that it should remain in the Bill. Meetings were held with the police, who also believed that it should remain in the Bill to give full protection to the State's treasures. So the provision will not be withdrawn.

Question—That clause 46, as read, stand part of the Bill—put; and the Committee divided—

Ayes, 43

Alison
Bailey
Bjelke-Petersen
Borbidge
Cahill
Chapman
Cooper
Elliott
Gibbs, I. J.
Glasson
Goleby
Harper
Harvey
Henderson
Hinze

Innes
Jennings
Katter
Kaus
Knox
Lane
Lee
Lester
Lickiss
Lingard
Littleproud
McKechnie
McPhie
Menzel
Miller

Muntz
Newton
Randell
Row
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton
White

Tellers:
FitzGerald
Neal

Noes, 27

Campbell
Casey
Comben
D'Arcy
Davis
De Lacy
Eaton
Fouras
Gibbs R. J.
Goss

Hamill
Kruger
McElligott
McLean
Prest
Price
Scott
Shaw
Underwood
Veivers

Warburton
Warner, A. M.
Wilson
Wright
Yewdale

Tellers:
Milliner
Vaughan

Resolved in the affirmative.

Clauses 47 to 53, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr I. J. Gibbs, by leave, read a third time.

TRUSTEE COMPANIES ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 10 April (see p. 2567) on Mr Harper's motion—

“That the Bill be now read a second time.”

Mr R. J. GIBBS (Wolston) (8.7 p.m.): This is a relatively minor Bill but the principal Act is very important. The Bill seeks to increase the brokerage fee on behalf of trustee companies from half of 1 per cent to 1 per cent. This is to tie in with Victorian legislation. From discussions that I have had with my colleagues in other States, I understand that the New South Wales Government will soon introduce similar legislation.

The legislation is introduced as a result of the collapse of Trustees Executors and Agency Company. That company made poor investments in property development and went to the wall. This type of legislation, as evidenced in Victoria, increases the brokerage fee that can be charged by trustee companies as an incentive to those companies not to indulge in poorly advised property speculation.

Honourable Members interjected.

Mr DEPUTY SPEAKER (Mr Row): Order! The Chamber is in disarray. Members are standing in the aisles and some have their backs to the Chair. There will be silence in the Chamber. The House will come to order.

Mr R. J. GIBBS: This Bill ensures that the Queensland legislation comes into line with that already introduced in Victoria and that which will soon be introduced in New South Wales. If the Bill is not passed, approximately \$34m will be transferred from Queensland to Victoria because of investment policies. The Opposition is happy to support the legislation because it will ensure that investors' money stays in the State.

I am very critical, however, of one aspect of the Bill. In his second-reading speech, the Minister said, as I understand it, that there had been some self-criticism on the part of the Victorian Attorney-General, who suggested that the Victorian Government legislated too quickly after the collapse of TEA.

It is interesting to note that the Attorney-General of Victoria at the time of the collapse of TEA was John Cain, who is now the Premier of that State. He made a very clear statement to the effect that the legislation that was introduced in Victoria was temporary legislation designed to plug a hole. His opinion is shared by the National Companies and Securities Commission, with which the Queensland Attorney-General has had discussions. The Victorian legislation was designed to plug holes that could appear after the collapse of TEA. It was temporary legislation and aimed at giving time to consider legislation that would have some substance.

I recall the debate in this Chamber approximately six months ago following the collapse of TEA. In introducing the necessary legislation, the Minister for Justice explained that his initial step was not incorrect. I accepted that statement then, and I accept it now. A body was appointed to look at the whole matter of trustees in Queensland and to frame legislation that would ensure that what happened in Victoria could not happen in Queensland.

The collapse of TEA occurred almost 12 months ago. Six months ago, the Minister made that statement. So I would have thought that the gentlemen who constituted that body—gentlemen with expertise and a keen understanding of the workings of the stock exchange, companies and trustee companies—would, by now, have reported to the Minister. However, as far as I am aware, they have not. Certainly no such report has been tabled.

The Victorian Government recognised the urgency of updating legislation. Although Queensland could have lost \$34m by way of investors' funds, it is only tonight that

this legislation is being passed. The Opposition has no objection to it; on the contrary, we support it totally. We realise the worth of investment in Queensland. What we do find unacceptable is that it has taken so long for the Government to take action.

I made that point when this House debated the transfer of TEA's activities to ANZ Executors & Trustees Company Limited. It has taken the Queensland Government a very long time to arrive at this decision. That is in stark contrast to what occurred in Victoria. As I say, not even a report from the Minister's committee has been brought before Parliament. Such a report would enable honourable members to study it and to debate in depth legislation that could be designed to plug all the holes following the collapse of TEA. I hope that such legislation will be brought forward in the Budget session.

The Opposition is happy to support the Bill.

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (8.14 p.m.), in reply: I thank the Opposition spokesman for his contribution. I did not intend to cast reflections on the Premier of Victoria or on his Government's legislation. What I pointed out was that, as Victoria was so adversely affected by the collapse of TEA, it was necessary for that State to introduce legislation in a hurry. I realise that. What I said was that when legislation is brought forward in haste there is always the possibility that errors will be made.

Of course, that applies to any legislation. Even taking a great deal of time and using the best brains available, there is always the possibility of leaving loopholes and including matters accidentally. I have pointed out to the House that, in Victoria, legislation that was introduced three months ago must be reconsidered and substantially amended. I am not being particularly critical of Victoria. Queensland has very reliable trustee companies. Queensland has not been particularly affected by TEA. Those people who were adversely affected might feel differently. I understand that the commitments have been honoured. The Queensland Government takes some credit for that.

If legislation is hastened, those problems are encountered. It is in the interest of the people of Queensland and of the trustee companies that we do not hasten unduly. I assure the honourable member that the legislation will be brought before the Parliament in the spring or Budget session, and that there will be ample opportunity to discuss it.

I make no secret of the fact that the delay has been irritating to me. I have been impatient for this legislation to come forward. Some delays were unavoidable. The report that I have received has been studied by an internal committee that I appointed. In the very near future the stage at which we can go ahead with drafting legislation will be reached.

I acknowledge the attitude of the Queensland trustee companies, which have been aware of the intention to introduce legislation. The need to introduce this Bill has been brought about by our not being able to introduce the package legislation as quickly as I had hoped. I had intended that this item be included in the total package of legislation. The trustee companies, particularly Union Fidelity, have been very understanding. They have deferred to the Government's problem with finalising the legislation. As I said in my second-reading speech, it would be unreasonable for the Government to expect them to defer until the spring session. That is the reason for the legislation.

I thank the Opposition for its understanding of the position and for its support of the legislation.

Motion (Mr Harper) agreed to.

Committee

The Chairman of Committees (Mr Row, Hinchinbrook) in the chair; Hon. N. J. Harper (Auburn—Minister for Justice and Attorney-General) in charge of the Bill.

Clauses 1 and 2, as read, agreed to.

Clause 3—Amendment of s. 45; Fee for work and services—

Mr R. J. GIBBS (8.19 p.m.): Clause 3 states—

"Fee for work and services. Section 45 of the Trustee Companies Act 1968-1983 is amended by, in subsection (1) (b), omitting the words 'one-half of'." I understood that the figure was to be increased to 1 per cent. That does not seem to be outlined in clause 3 of the Bill.

The Minister said that not a great deal of money had been lost in Queensland. I draw the attention of the House to the fact that it is on record that the amount of money lost in Queensland to date is \$3,344,551. There is some doubt as to whether the records are accurate because the amount could be in excess of that figure.

Those records are of investments placed with law firms throughout the State. I shall not mention all the legal firms associated with losses, but it is worth noting some of the major ones: McCullough and Robertson, \$251,643; Power and Power, \$851,275.94; Hawthorn, Cuppaidge and Badgery, \$651,378.23; James Byrne & Co., \$270,486.06; Fred Hemming & Co., \$111,599.64; D. F. Dobbryn Carroll & Watson, \$272,000; J. R. R. Bottoms (Graham Knell & Co), jointly, \$115,010.36; Kerr, Smith, Rudkin and McNeil, \$178,034.94; and Short, Punch and Greatorix, \$134,563.37. Many other firms are listed, but I have mentioned only those with losses in excess of \$100,000.

In other States the accusation has been made that some legal firms worked in co-operation with the crashed company, TEA. Since they were paid commission to do so, they advised their clients to invest in TEA. That has not been proven in New South Wales and I am not suggesting that it has taken place in Queensland. The Attorney-General said that not a great deal of money was lost in Queensland. It is in excess of \$3m, which is a lot of money in anybody's language.

In his second-reading speech the Minister referred to the amendment of section 45, saying that it is intended to raise the percentage from one half of 1 per cent to 1 per cent, putting Queensland on an equal basis with Victoria. As I understand it, that is also the intent of the New South Wales Government.

Mr HARPER: The honourable member is correct. It is the intent of Queensland Government, by this amendment, to increase to 1 per cent the maximum fee which may be charged. I might add that the company presently does not charge the half of 1 per cent that it has been empowered to charge. The intent is that, with the passage of this legislation, it and other trustee companies in Queensland will have the authority to charge 1 per cent. I emphasise that it is the maximum charge. The companies are at liberty, as they have been in the past, to charge less.

I am appreciative of the honourable member's bringing the other matters to the attention of the Committee, because it gives me an opportunity to indicate that, although the figure is in excess of \$3m, on my recollection the investments to which he referred were not trust fund investments. They were unsecured interest-bearing deposits. Therefore, I stand by the statement I made.

Clause 3, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Harper, by leave, read a third time.

COMMUNITY SERVICES (TORRES STRAIT) BILL

Second Reading—Resumption of Debate

Debate resumed from 11 April (see p. 2757) on Mr Katter's motion—

"That the Bill be now read a second time."

Mr SCOTT (Cook) (8.26 p.m.): Tonight the House has been asked to debate half of the Aboriginal and Torres Strait Islander legislation. That so far only one Bill has been presented is a total indictment of the Government and its relationship with the Aboriginal people. The House is in the dying stages of the autumn session of this Parliament. The Government has had nearly four years in which to have discussions with the Aboriginal and Islander people to find out, as it promised it would, what they want in the legislation, to design that legislation and to allow a discussion paper based on the legislation to be taken to the communities to be debated at great length. I have to ask the rhetorical question: Has that been done? I say that it has not been done.

I remind honourable members of the sitting pattern of this Parliament since the October election. So that the Government could bring down a very belated Budget, Parliament began

sitting almost immediately after the election and sat for four weeks, virtually up to Christmas Day. Parliament resumed again late in January and has sat for seven weeks since then, in which time the Government could have introduced this legislation.

I am not so concerned about that as I am about the Bill's being debated this evening, in the dying hours of the Parliament, when the House is yet to see the complementary legislation that deals with the Aborigines of this State. That is an incredible insult to Aboriginal people and gives the total lie to the claim by the Minister and the Government that the legislation has been discussed. No worthwhile discussion of the legislation has taken place. Unfortunately, the Minister has brought Aboriginal people down here this evening and is in the very last stages of trying to tell them that this legislation should be accepted by them. Until yesterday afternoon, they had absolutely no idea of what was in the Bill.

The Minister, very dishonestly, undertook a prolonged and very peripatetic voyage and talked to the Aboriginal people about something of which they knew absolutely nothing. With a smiling face on television, he has simply tried to con the people of this State. One of the problems presently faced by society is that it has politicians who can perform on television and try to dodge the fact that they cannot get their points across, especially in very short television interviews. This Minister has carried that very technique to the very Aboriginal communities themselves.

I have in my hand a newspaper photograph of a group of people that was taken after the Yarrabah meeting, which was held on 28 March, barely a week and a half ago. That is when discussions were supposed to have taken place with the Yarrabah community. The photograph depicts two members of the community, the chairman of the Aboriginal Advisory Commission, the Minister and some sychophantic members of his parliamentary committee. It pictures them as if they had had fruitful discussions. In fact, the caption to the photograph is, "Fruitful discussions" But they had not been fruitful discussions, as the Minister discovered later on. After mature reflection, the people involved were able to tell the others that the discussions had told them nothing. The Minister then went scampering back to Yarrabah.

Exactly the same thing occurred at Cherbourg. The Minister had been to Cherbourg. I was not aware of that when I made a normal programmed visit to Cherbourg in my role as Opposition spokesman on the Aboriginal and Island Affairs portfolio. I will discuss that at some length later. Because the Minister discovered that I had been there, he went scampering back to Cherbourg to talk to the people. They gave me unequivocal assurances that on the occasion of his first visit they did not know what he was talking about. He did not make things clear. He gave no indication of what was in the legislation, so they were none the wiser. That places Aboriginal leaders in an embarrassing position, because they lose the trust of their own people. It is the embarrassing type of tactic that this Government constantly employs.

There has been a whole array of totally incompetent Ministers. Only a few years ago, Mr Wharton was a Minister for Aboriginal Affairs. He was the Minister when I first became interested in politics. Even at that stage, he was one of the older Ministers, and he had that portfolio pushed on to him because nobody else wanted it. It has always been shared with a portfolio of greater significance and greater interest to the Minister.

Next came Mr Neville Hewitt, who filled the same role. When I first campaigned for Cook in 1974, I was in Aurukun when Mr Hewitt was there. It was the old, old story of Aboriginal people not knowing what was going on with their legislation and not knowing what their rights or powers were. Their councils have never been certain of their authority. They have been twisted and tied up in knots by the Minister of the day, and until only very recently, by the Director of Aboriginal and Islanders Advancement. He has been the machiavellian operator who has always handled Aboriginal affairs in this State.

It was the old story when I entered politics and began moving round amongst Aboriginal communities. I would hear references to the Government's interference in this or that aspect of Aboriginal affairs or the Premier's involvement in this or that aspect of Aboriginal affairs. But the saying was constantly, "Leave it to Pat." Of course, that man has now become "Political Pat", the man who campaigned in Cook on public funds and has never been called to account by the Government.

Mr Hamill: He did not do all that well in his campaign.

Mr SCOTT: No; I think he received 21 per cent of the vote, or something like that. But the trouble is that the director is still there as the grey eminence of the department, and we have seen the unedifying spectacle of a scramble for power between the new Minister and the director.

I will continue with my story of the Ministers for Aboriginal Affairs over the years, because it is very relevant to the legislation that we are supposed to be debating here tonight—this half a Bill. There was Mr Hewitt, and then one I particularly remember, Mr Porter, who was a total and utter disaster, although he at least concerned himself a little with the portfolio. I think he was the first Minister who was Minister for Aboriginal and Island Affairs only. Again, he left everything to "Political Pat". But those two men were, one might say, a horror duo. Together they helped to screw the Aboriginal and Torres Strait Islanders into the ground.

I am talking about things that I know all about, because I have been very intimately involved in Aboriginal affairs since I first campaigned. I admit that it is a prime part of my interest in my parliamentary job. Half of the electors of Cook are either Aborigines or Torres Strait Islanders. I take great pride in that. I give half my time as representative of the Cook electorate to the Aboriginal and Islander people. I constantly travel in the electorate and talk to them in a sensible man-to-man way, not in the patronising way in which those foolish Ministers travelled round the countryside and talked to them through "Political Pat".

After Mr Porter came—dare I mention the name?—Mr Tomkins. He was the next Minister for Aboriginal and Island Affairs. Mr Tomkins reverted to the nice-man role. There was the nice Mr Wharton and the nice Mr Hewitt, and they were nice. They did not want the job of Minister for Aboriginal and Island Affairs; but, being responsible men, they shouldered what they considered to be a burden because they could hive off their responsibilities to the director. That is what they did over a long period.

Mr Tomkins tried to dabble in Aboriginal and Islander affairs, and I think that was a shame. He really exposed this Government. Prior to that, certain back-bench members of the Government were members of the committee advising the Minister. In fact, some of them were caught in that dreadful fishing expedition on the "Melbidir". That major State Government transport unit was used to allow the Minister to engage in his personal hobby of fishing in the Torres Strait. If ever anything highlighted the attitude of the Government to Aboriginal and Islander affairs, it was that one event. Of course, it has not changed very much since then. During the period in which they were supposed to be looking after the affairs of the Torres Strait Islanders and the Aboriginal people, the Minister and members of his committee went fishing.

In 1980, the Premier first said to the people of Queensland that he would repeal the Aborigines Act and the Torres Strait Islanders Act. I heard the Premier say that on the radio during the election campaign in 1980. I must say, as I have said in this Chamber on many occasions, that that statement sent shock waves round the Aboriginal and Islander communities. In the middle of the election campaign, this carrot was dangled on a stick in front of the people. They were told that the repressive legislation would be repealed. It has been repressive for many years. It has been particularly onerous and repressive under this Government, not so much because of its form but because of the way in which it has been administered and the way in which the director and the Ministers have used it to tie Aboriginal and Islander people up in knots and play one group off against another. That has been done constantly. Out of the blue came the statement that the legislation would be repealed.

What happened then? That heightened the expectation in Aboriginal and Torres Strait Islander people of getting something better. They had been held down under that legislation for many years. I will change my metaphor. Here was a lantern of hope held out by the Premier that the legislation would be repealed. From that time on, Aboriginal and Torres Strait Islander people tried very hard to find out which way the Government would go. It was totally irresponsible of the Premier to make that statement. It is well known that I hold him in very low regard. This morning in this Chamber we saw an incredible example of his misuse of the conventions of this House to abuse a visiting senator. I heard him and was shocked. That is an indication of the type of role that the Premier delights in playing. It highlights his attitude.

An Opposition Member: A shame.

Mr SCOTT: It is a shame. That is the attitude that he has adopted towards the Aboriginal people. Fancy announcing in the middle of an election campaign that he was going to repeal this most important legislation and then doing nothing about it!

I am not going into great detail about the way in which discussions were supposed to have been held. I shall, however, document a few facts in support of my argument that no worthwhile discussions have been held.

I shall firstly finish the saga of Mr Tomkins. It did lead to the untimely retirement of a nice man. Certainly he was an incompetent Minister, but he was about average for a National Party representative of the people in this august Chamber. Mr Tomkins had to resign.

Mr SPEAKER: Order! The honourable member is straying somewhat from the Bill, and I ask him to return to it.

Mr SCOTT: I am talking about the discussions that led up to the framing of the legislation. With due respect, I take advice from the Chair when I am remiss, and I am prepared to do that now.

The thrust of the Government's campaign and the Minister's campaign is that consultations have taken place. In my analysis of the Bill tonight, I am demonstrating that those consultations have not taken place. I will say a great deal about the Bill. I am just warming up. Because consultation has been the thrust of the Minister's campaign, it is important to document these facts.

The Minister has said two different things. He has told some people that the legislation could not be held over. He did not say that it would be brought in on the last night of the autumn sitting; he said that it could not be held over because of the sunset clause in the existing legislation. I will put the lie to that sunset clause immediately. It is to be found in the Aborigines Act. The Bill to amend that Act could be referred to as the Claytons Bill—the Bill that is being debated when there is no Bill. As I understand it, because of the Minister's incompetence, the second Bill is still with the Government Printer. The sunset clause is a lot of nonsense, and I will read from section 2 of the Aborigines Act as follows—

“The Governor in Council may from time to time, during the continuance in force of this Act, by Proclamation continue the Act or any provision thereof in force for a further period specified but not exceeding five years.”

The same provision can be found in the Torres Strait Islanders Act. The Governor in Council, which is simply the Cabinet sitting with the Governor present, by passing a resolution, which is called an Order in Council, can extend the life of the present legislation. It is nonsense to say that this legislation is being rushed through at the eleventh hour because of the sunset clause. I see that the Minister has an inane grin on his face, and that indicates his grasp of the legislation. The people in the communities know that the sunset provisions in the existing legislation are not effective and I have said so not only in this place but also in these communities. That reason was spurious. My argument is that this new legislation should have been held over until the Budget session of the Parliament.

The other reason that the Minister has given for his decision to proceed with the Bill is that all the discussions had taken place. I repeat: Those consultations did not take place. I will be repeating that to the point of boredom. However, the Minister was able to con some of the people on the communities—

Mr KATTER: I rise to a point of order. I hope that I will not have to rise in my place all night to object to comments being made. I have never said that the legislation was not being held over for the reasons claimed by the member for Cook, and he knows that well.

Mr SPEAKER: Order! The Minister will have his opportunity to reply.

Mr SCOTT: He is adopting typical National Party tactics to use my time—

Mr SPEAKER: The member for Cook will proceed with his speech.

Mr SCOTT: The Minister has been able to get some of the Aboriginal people to say that consultations have been had. That was probably achieved after a nice dinner on Thursday Island. I will read from one of the Minister's press releases—

"Island leaders said it was the first time that they had been able to hold serious talks with parliamentarians about issues affecting their future."

Mr Wilson: It is a lie.

Mr SCOTT: Of course it is; it is an outright untruth. I am reading from the Minister's own press releases to save him time in rebuttal. He will be able to save his breath. I am giving the lie to the press releases because it is well known that there were no consultations. The press release goes on to say—

"Eastern island group chairman, Mr George Mye, said that for too long Islanders had been 'marching time'. 'We do want to keep marching time' Mr Mye said."

Sadly, they are still being asked to mark time. The press release goes on—

"Central Island group chairman, Mr Getano Lui Jnr said it was a great thing that the Queensland Government was listening to the needs of the island people."

Since saying that, Mr Lui Jnr has had the opportunity of having a look at the Bill and he is less than happy with its provisions. The legislation has been so long in gestation but so short in its dramatic birth.

The press release states further—

"Speaking at the conclusion of the meeting Mr Katter said he was now 'more confident than ever that the Queensland Government's approach to the new legislation was in line with the needs and wishes of the island people.'"

The Minister has known all along what is in the legislation but he has not told the people with whom he has allegedly been having consultations. There has been no discussion paper and the Aboriginal and Islander leaders had to say something nice about the Minister and the legislation because of a nice dinner. But then they had to talk to their people to give them some idea about the legislation, but they could not do that. Many people from the communities have spoken to me and told me that they do not know what is in it. It is a sad state of affairs that the Minister has used these people in such a dreadful way. Some of them are in the gallery this evening and they can take in all of this debate.

In trying to sell the Bill, the Minister travelled 120 000 km. No wonder I regard him as being peripatetic. He went on a great sight-seeing tour, but he has not told the people what is going on with the legislation.

An Opposition Member: It was a media stunt.

Mr SCOTT: Of course it was. Wherever he goes, he likes to get in front of the television cameras and put his false message across.

The press release goes on to say—

"During his visit to the Torres Strait, the Minister travelled by helicopter, small plane and island hopped in small aluminium boats across 30 km expanses of ocean. Mr Katter pointed out to people on the reserves that as long as special funding was provided, there would be problems on the reserves."

That is not the only reason why problems are occurring on the reserves; they are occurring also because of his administration and that of his predecessors.

Next—

"Efforts would be made at making reserve areas self-funding as soon as humanly possible."

Queensland is no closer to doing that. It goes on to say—

"Mr Katter said, 'No stone would be left unturned—'"

he is a great one for a turn of phrase—

"'in efforts to find out what reserve people wished in the way of laws which will regulate their lives for many years to come.'"

The date of this press release is 2 March 1984. No doubt the Bill was already written at that time. He knew what was in the Bill, but he was not engaging in consultation.

Mr Katter: You have just said that the Bill is not written now. You cannot have it both ways.

Mr SCOTT: The Minister is not quite certain of his facts. The Minister cannot bring the Bill forward, because it has not been printed by the Government Printer. He could not even get it past the Parliamentary Counsel. However, he knew what form it would take.

Another aspect on which I must comment is the furphy circulated by Government members that the Bill contained something that would prevent the Commonwealth from moving. The Minister has told us constantly of his close ties with the Cattlemen's Union. He has been caused a good deal of worry, because when he talks to its members privately he says, "No, I am not giving Aboriginal people land rights," but when he gets together with a group of Aborigines he says, "I am giving you land rights."

An Opposition Member: Isn't that typical?

Mr SCOTT: It is typical, and it is also indicative of the split personality of the Minister.

A report on land rights appeared in "The Sydney Morning Herald". Damien Murphy wrote as follows—

"The State Government plans to officially classify Aborigines on Queensland reserves as farmers."

Those press releases came from the Minister's office, or they were released in talks with the Cattlemen's Union. The Minister cannot deny that he had such talks. He had secret talks with the members of the Cattlemen's Union, and I would like to know what he told them. All I have is Damien Murphy's report on those talks.

That was supposed to be one of the moves that were to be made to block Federal intervention. The article goes on to say—

"Members of the executive of the Cattlemen's Union met Mr Katter last Monday and were briefed on the likely contents of the land rights legislation."

That should be "services legislation", because the land rights legislation has already been passed. Then—

"'We believe the Queensland legislation will be a very effective political deterrent to overriding Federal legislation,' the executive director of the Cattlemen's Union said."

The Minister simply put words into the mouth of the graziers' representatives. Next—

"We totally support the detail of the legislation as relayed to us by Mr Katter."

Let the Minister try to deny that he made those statements.

There have been many instances of the Government's having said that it will hold discussions. Here I have a piece of nice, shiny blue paper that the department uses to promulgate some of its statements. It is titled "DAIA News". The director either writes this stuff or directs who will write it. It is Volume 6, Number 2, dated 1981, which is three years ago.

An Opposition Member: The National Party henchman, is it?

Mr SCOTT: That is right; Mr Killoran, the National Party candidate.

It is a special edition. Why was it a special edition? This was issued in 1981. The article stated—

"Since November 1980, when the Premier of Queensland said that the Aborigines Act 1971-1979 and the Torres Strait Islanders Act 1971-1979 would be repealed, a lot of people have written and said a lot of things about the changes."

At that time the matter had been widely debated. Why was the legislation not introduced in 1981? Some of the things have been true. The article stated that the people on the reserves must look closely at the changes. They have not been given an opportunity to look at the changes. The article further states—

"The Premier of Queensland, Mr Joh Bjelke-Petersen, and the Minister responsible for Aboriginal and Island Affairs, Mr Ken Tomkins, have made nine commitments."

Not one of those nine commitments has been honoured. The Minister can go through them. He will find this publication at the bottom of the volume of material that he will have on Aboriginal Affairs. The Premier stated—

“Before any draft legislation goes before Parliament it will go before the Advisory Councils for discussion.

The Councils will have the opportunity to review proposed legislation.”

It is totally untrue that that occurred. Only token efforts have been made to have discussions on this legislation.

Mr SPEAKER: Order! I presume that the member for Cook is still leading up to his comments on the Bill.

Mr SCOTT: Yes, Mr Speaker, I certainly am.

Mr SPEAKER: I hope that he does that very shortly.

Mr SCOTT: I wish to refer to some more recent publications from the Minister. Mr Speaker, it is all relevant to the Bill. I do not think that moves should be made to limit the debate simply because we have reached the last stages of this sitting.

I wish to refer to the assurances that have been given to the DAIA staff. The Minister has been able to let his split personality have its full dual application. He has been telling the Aboriginal and Islander people that the DAIA will be wound down or that they will no longer have the DAIA looking over their shoulder or controlling their affairs. When I refer to the clauses I will show very clearly that there is a role for the DAIA. The DAIA remains in full force under a slightly different name.

On 19 March 1984, the Minister released another glorious press statement headed “Attention: News Editor”.

Mr Underwood: Inglorious!

Mr SCOTT: Yes, an inglorious news release. It states—

“Part of the nature of their employment as public servants means they have job security. These people do a fantastic job, often under difficult and trying conditions, and have nothing to fear about losing their jobs.”

I admire the Minister for saying that, but he cannot have two bobs each way. The task of consultation with the Aboriginal and Islander people is very complex, and it is still taking place. He is constantly hammering that theme. The press release further states—

“The nitty-gritty of the legislation has to be worked out with the Aboriginal and Island people.”

I will have a look at the fine print in the Bill to see which clause nitty-gritty comes under. The nitty-gritty has not been worked out, if the Minister wants to use that slang term.

Mr Wilson: They have not been asking them what they want; they have been telling them what they can have.

Mr SCOTT: That is exactly right.

I ask members to take particular note of the press release of 19 March 1984, which was three weeks ago. It states—

“At this stage no-one, not even myself, can comment with any accuracy on the details of the new Acts.”

Mr Hamill: Mr Killoran had not shown it to him.

Mr SCOTT: That is right. Mr Killoran had not put it into his hot, little hand. The press release continues—

“Mr Katter said he would be releasing full details of the new legislation when the process of consultation had been completed and the new Acts had gone before Parliament.”

Of course, the Acts had been written. Mr Killoran knew exactly what they were, but he probably had not told the Minister at that stage.

I wish to make some brief comments on the friction between the Minister and the director.

Mr Katter: You cannot have it both ways.

Mr SCOTT: The Minister has lost because we have now seen the legislation. It is the director's legislation, not the Minister's legislation. I will be listening with close interest to the contributions by the members of the committee. They might let it slip that it is in fact the director's legislation.

Mr Underwood: The Minister was suffering from jet lag while the director was pulling the strings in Brisbane.

Mr SPEAKER: Order! I remind the member for Ipswich West that if he continues with that type of interjection I will take the necessary action.

Mr SCOTT: I know that at the meeting held on Thursday Island the Minister was asked about a consultation timetable. I understand that a question like this was raised: Would you be prepared to discuss now a consultation timetable between the negotiating committee, your officers and the parliamentary committee? That was on 23 March; so, as late as that, there had been no consultation. This is advice I have been given. There was no consultation.

Mr Jennings: What date was that?

Mr SCOTT: 23 March 1984, by which date the legislation had been written. The Minister was flying around making a big fellow of himself in front of television cameras. He was falling into creeks and having to have ropes thrown to him. I wonder whether he will admit to the House that on one occasion when he fell into the creek he was actually visiting National Party supporters.

Mr SPEAKER: Order! Really, the member is straying a long way from the Bill. I ask him to come back to the principles of the Bill.

Mr SCOTT: I take your point, Mr Speaker.

If the Minister was out talking to National Party people on King Park, I suppose I can hardly claim that he was or was not then having consultations with Aboriginal people. That is a very serious matter. He was trying to boost the stocks of the National Party in the Cook electorate. I might say that they certainly need boosting. However, next time they ought to pick a better candidate—or two candidates!

The Bill is entitled "Community Services (Torres Strait) Bill". That is an outright lie. My comments so far have been much more than peripheral to the Bill. They have been central to the debate on the Bill, because the legislation has not been shown to the people. I will admit that I have spent some time talking about the lack of consultation.

The Opposition will demonstrate that in virtually every clause of the Bill there is the shadow of the director, whose title has been changed in the Bill to "Under Secretary", breathing down the necks of Aboriginal and Islander people—and the Minister says he has given them autonomy!

However, I will start at the beginning and deal with the words "Community Services" in the title. That is the only part of the Bill in which any indication is given that this is services legislation. One of the things that has been constant in what little discussion has taken place during the Marco Polo travels of the Minister in conveying the good word of the legislation is that it is services legislation. That is just what it is not. Services legislation, one would think—and I will remind the Minister, because he does not have the director—

Opposition Members interjected.

Mr SCOTT: He is hiding, is he? He is not in the lobby? The puppeteer is behind the screen, is he?

Mr Prest interjected.

Mr SPEAKER: Order! If the member for Port Curtis wishes to make a remark, he must return to his usual place in the Chamber.

Mr SCOTT: The up and coming members of the department—the new knights of the “Community Services” legislation—are there, ready to usurp the role of the under secretary.

The services one would expect to be referred to in the Bill would be health services, educational services, police services and housing services. They are the basic services in the Cook electorate, in particular, but throughout all Aboriginal areas and the Torres Strait. Presently those services are provided under either the Aborigines Act or the Torres Strait Islanders Act. Even though the role of the director is not spelt out clearly in those Acts, he has clear control of health services in Cape York Peninsula and the Torres Strait. This legislation contains no reference to what is happening to that service.

In regard to education, I will remind members of the committee—I am aware that they did not know it when they went to Torres Strait—that in the outer islands of Torres Strait, education is controlled by the Department of Aboriginal and Islander Advancement. There is no indication in the Bill that that will change. They are two areas in which the Torres Strait Islander people in particular have been sold down the drain by the Government.

There is reference to the police, which is another service. However, there is a clear distinction in the Bill between the Queensland Police and the Island police. I will be debating that at great length.

The Bill contains very little reference to housing. It provides that Island Councils will continue to be able to set rating levels—the Opposition will be speaking about that, too—but there is nothing about housing. Will the Housing Commission take over housing? That is the very sad state of the art of Aboriginal and Islander legislation.

It is such a shame that the director has been controlling Aboriginal affairs for so long. The legislation perpetuates his role, albeit under a different title.

One of the things that I deplore about the role of the director is the way in which he has been able to remove from the electorate people whom he believes have become too involved in Aboriginal affairs. Subsequent to the 1983 State election, at the director's behest, a nursing sister who was not even employed by the department was removed from Kowanyama. Initially, that person was to be sent to Palm Island. After a change of heart, she was sent to Cooktown. But, when the director heard about that, that was very quickly changed. He would not allow her to remain in Cooktown, in the Cook electorate, and she was moved to Brisbane. That is a deplorable state of affairs.

At Weipa South, a minister of religion had become involved in an alcohol relief service. Carefully, in a proper and sensible way, he got to know the people and was totally on-side with them. Because the director heard about his activities, he was summarily removed through the religious organisation. That is totally embarrassing to the organisations concerned, and it is totally embarrassing to the people.

Government Members interjected.

Mr SCOTT: It should be embarrassing to honourable members opposite, but it is not. Because one sees everywhere in the Bill references to either the under secretary of the department or his agent—that is the term that will be used—that will be perpetuated.

In another instance, this time at Cherbourg, another religious person was removed from the community simply because he was offering sensible advice to the people in the community. Quite a time elapsed before that religious order was allowed to have similar people go back into that community. What a dreadful state of affairs that is!

Under the existing legislation—and it is perpetuated in the Bill—the director is able to control the daily lives of people. He is even able to control them after they pass away from this mortal coil. Last year I wrote to the Minister about an incident involving an estate. The spouse who was left behind wanted money from the estate so that a tombstone could be erected on the grave. Money could not be obtained from the estate, which was controlled by the director. As far as I know, that money still has not been received. I certainly received no reply from the Minister.

Mr SPEAKER: Order! I have allowed the honourable member a great deal of latitude in the debate. I really believe that he should return to the Bill.

Mr SCOTT: Certainly, Mr Speaker. That is the sort of thing that is perpetuated in the legislation. Am I not allowed to say that?

Mr SPEAKER: Order! Yes, but the honourable member must speak to the provisions of the Bill. The Bill is not about who was removed from where and what else is going on.

Mr SCOTT: That sort of thing is being perpetuated, and I will give examples of that. Because the Opposition wants to raise certain matters in relation to the legislation and probably will not have time to do so at the Committee stage, I want to consider the legislation from the beginning.

One of the first parts of the Bill deals with a community of Islanders resident at Bamaga. For the information of members, two groups are resident at Bamaga—a community of Islanders and a community of Aborigines. Unfortunately, because honourable members have not yet seen the practical ramifications of one piece of legislation, it cannot be referred to. I refer to the legislation dealing with deeds of grant in trust, which was passed by this House two years ago and was amended over a month ago. I might add that it was amended in my absence, after I had acquainted the Minister with the fact that I would not be here.

Mr Elliott: You were overseas.

Mr SCOTT: Yes, I was overseas. I have every right to go overseas. I am not like Ministers, who go traipsing around at Government expense.

While I was away, the Government saw fit to deal with that legislation in the first sitting week of this year, after I told the Minister that I would be absent. The Opposition is not able to debate the deed of grant in trust legislation because no-one has seen deeds of grant in trust. After two years, not one example of a deed of grant in trust has come to light. How can one talk about legislation in which there is to be a cross-reference, because that pertains to the land which Aboriginal and Islander people are supposed to have been given. Of course, they are not being given that land.

But it is most important to look at the situation at Bamaga, where communities of Aborigines and Islanders are living together. I will be anxious to hear the Minister's comment in due course on the way the land shared by those two communities is to be used.

Another clause has reference to a person who, at the commencement of the Act, holds an appointment for the purposes of the Torres Strait Islanders Act. He shall, subject to the conditions of this appointment, continue to hold the appointment for the purposes of this Act. He becomes the agent, and the director becomes the under secretary, and every person, agent, director and under secretary is perpetuated throughout this legislation.

Some of the terms in use in talking about Aboriginal and Islander affairs legislation are defined. Reference is made to a trust area. It is an area of a community, meaning that part of the trust area for the benefit of Aboriginal inhabitants of the land reserved and set apart by the Governor in Council, or lands appropriated for the use of a community of Islanders where such community is established in the trust area or reserve. That defines a term that again will be constantly used.

One of the further provisions of this Bill is that residents of Islander and Aboriginal communities will no longer be able to vote in local government elections for the shires in which their community is located. That is a terrible denial of freedom for Aboriginal and Islander people. One of the first questions I will be asking Aboriginal and Islander people is, "How do you feel about that?" People from Palm Island will not be able to vote at the Townsville local authority elections. Residents of Hope Vale will not be able to vote in the Cook shire elections when the Minister allows an elected council there. The people of Cherbourg will not be able to vote in elections in the Murgon or Wondai shires. That is true. The Minister shakes his head in a negative way, but he has denied them the freedom to vote in local authority elections.

Honourable Members interjected.

Mr SPEAKER: Order! I warn the honourable member for Port Curtis.

Mr Prest: What for this time?

Mr SPEAKER: Order!

Mr Underwood: They're not Queenslanders.

Mr SCOTT: That is right, they are not Queenslanders; under this legislation they are second-class citizens once again. They will be kept in that position by this dubious piece of legislation.

When ordinary people fill out the forms that restrict and trammel us in our daily lives, they are required to name the shire in which they live. Aborigines and Islanders will not be able to do that because the Government did not have the courage to make these areas shires; instead it called them trust areas. One of the things that trouble people who live on the reserves, as they were called until now, is wondering whether they are a particular species of wild animals required to live all their lives on reserves because of the requirements of the Premier and the legislation that this Government has brought down.

I am glad that the Premier is listening, because his Government will gain no kudos at all from this legislation. Instead of being able to live on reserves, Aborigines and Islanders will have to live on trust areas. I ask you, Mr Speaker, what sort of legislation is it that requires people to live in trust areas? At least when Mr Hinze brought in legislation about Aurukun and Mornington Island, after the State Government was dragged kicking and screaming to the consultation tables by the Commonwealth Government, he had the decency to make provision for the people living in those areas to live in shires, and they proudly live in shires. Instead of that, under this legislation, Aborigines and Islanders will be required to live in trust areas.

There is reference in the Bill to agents of the department and a responsible officer. The responsible officer is the under secretary, who is charged with the responsibility of the administration of this Act, subject to the Minister. Of course, with a weak Minister there will not be much ministerial control; it will be the under secretary who will be doing all the things to be done under this legislation, and they are wide and deep. "Agent" is the new name for the manager.

Every Aboriginal and Islander community in Queensland, particularly in the Torres Strait and on Thursday Island, has a white manager. He is the manager who is required by the director to tie in knots the lives of the people who live in the community. He is the man who directs the council. Councillors do not want to be directed, but he directs them because he has all the information.

Years ago when I was working as an electrician, the chief electrician at one particular place would regularly get the wiring diagrams and other information and tear them up, so that every time a shift electrician wanted to know something about the equipment, he would have to go cap in hand and ask the chief electrician. Councillors have to go and ask the manager what can be done about certain things. In due course, the manager tells them, because that is what he is required to do by the director. These people will now be agents.

Clause 9 (3) states—

"An agent of the department shall discharge such functions and duties and may exercise such powers as are imposed or conferred on him by this Act or as the Under Secretary from time to time request of him."

The line of control is spelt out exactly as I said it would be—from the under secretary through the agents and the councils to the people. What a terrible state of affairs.

I have said that this is the present legislation in a new cover. One can follow it through provision by provision, clause by clause. The control in the present Act will be continued under this legislation.

The next clause deals with the power of delegation. Clause 10 (3) states—

"A delegation may be made subject to such terms and limitations as the Minister or Under Secretary thinks fit including a requirement that the delegate shall report to the Minister or, as the case may be, Under Secretary upon his exercise or performance of the delegated power, function or duty."

The report of a delegate will go from the council to the agent, to the under secretary, to the Minister. There will be this constant to and fro, yo-yo of communication. The instructions will go down to the agent and he will require the councils to carry them out because the under secretary has given them.

The Bill provides for visiting justices. That function has never been fulfilled. The present legislation contains provision for visiting justices. Visiting justices have never provided reports to the people who live in those communities. They have never provided legal advice or investigated the matters that they should have investigated.

Clause 11(2) states—

“At least once in every period of three months the visiting justice shall visit every trust area to which he is visiting justice and shall—

(a) investigate any complaints by Islanders resident in the area concerning the administration of the area;”.

I ask the Minister whether the visiting justice is to report against the council. The poor old council will have great difficulty in surviving because it will have not only the under secretary and agent ranged against it but also apparently the visiting justice. He will be able to make complaints against a council. What about the normal process by which councils are voted out of office if people are unhappy with them? Does every other local authority have the benefit of a visiting justice to whom people may complain about a council? The visiting justice must report to the under secretary.

The Bill provides for official inquiries. The present Act provides that the director may make investigations. He has the right to go into people's houses. That situation is perpetuated in this Bill.

Clause 12 (1) states—

“The Governor in Council may authorize any person to make and hold such inspections, investigation and inquiries for the purposes of this Act...”

About whom is he going to inquire? Is he to peer further into the day-to-day activities of the Torres Strait Islander people? What a dreadful indictment.

Mr Menzel interjected.

Mr SCOTT: It is in the Bill. The people will be subject to official inquiries.

There will be Island Councils. Thank goodness for that. There will be some outline of local authorities.

Provision is made for the incorporation of Island Councils. It is written as though it is something new. It is in the present Act. Of course, that should have come under the clause dealing with savings. The Minister or the director does not know how to frame legislation.

Councillors will have a term of office of three years.

A Government Member interjected.

Mr SCOTT: I still have another 42 minutes.

The Aboriginal people particularly requested that their elections be controlled by the State Electoral Office. That request has been denied. The people will be placed on voters' rolls. The Aurukun community has voters' rolls. It simply means that a returning officer under the State Elections Act—in this case an unspecified person—goes through the State roll and, at his own discretion, decides whether or not Aboriginal people may vote. I want to know whether those voters' rolls will be open for inspection.

Mr Menzel: They won't have you on the roll.

Mr SCOTT: I am on the roll for the electorate of Cook.

I turn now to clause 19, which refers to the relationship of the island area to the local authority area. The clause refers to “land within an area”. That is a euphemism for the old style reserves and the current deed of grant in trust areas. I will highlight those words. “... land within an area is not rateable for the purposes of that Act”—the Local Government Act. It means that the Aboriginal and Islander people who live in these areas will not have to pay rates to the local authority, but they may have to pay rates to the respective councils.

The clause also provides that a person whose name is on a voters' roll for the purpose of the election of a council shall not be entitled to vote at an election of the local authority of the area within the meaning of the Local Government Act.

Mr Hamill: It is shameful, apartheid legislation.

Mr SCOTT: It is apartheid legislation. A Government back-bencher tried to tell me that it was not in the Bill. I hope that that Government member was not on the Minister's committee, because that would be glaring proof that he had not read the Bill.

The Bill provides that an administrator may be appointed. As a result of the efforts of the under secretary, administrators will be popping in and out of the councils like nobody's business. When the former director does not like council members, he has the power to appoint an administrator, and that is what he will do.

Mr Katter interjected.

Mr SCOTT: That is what he will do; he will appoint administrators. He has fiddled with the councils for so many years and he has played one group of councillors off against another.

The Bill provides that by-laws may be drafted. The Act has a similar provision. The Bill outlines the way in which by-laws may be used, and the Opposition will be looking for amendments to those provisions.

Clause 26 refers to an Island rate and other charges. An Island Council may make and levy a rate upon such a basis as is prescribed by by-laws of the council. That provision is the thin end of the wedge.

It is at this point that the Government really gets at the Aboriginal and Torres Strait Islander councillors. The councils will be required to set the level of rental for the houses. I will just take a minute of the valuable time of the House to talk about the condition of those houses.

I ask the back-bench members of the Minister's committee whether they have seen the houses and noticed the lack of maintenance to them that the department has perpetuated. I am constantly asked by people who are forced by an uncaring Government to live in those houses to try to have some repairs carried out. I receive complaints from the most eastern island, Murray Island, across to the top western island group, Saibai, Dauan and Boigu, that the houses are in a dreadful state of repair. The Opposition knows now why the department has left them in that state. It is because control of the housing will be handed over to the Aboriginal councils. The condition is the same from the top western island through to Bamaga, through my electorate of Cook and down to Cherbourg.

Recently, I visited a house in Cherbourg and the local manager—the so-called agent—was dunning the man who lives in that house for \$28 for electricity. He was being dunned for a small amount of back rent, and he can get only two days' work a week. He told me he would probably be put out of the house. The people in Cherbourg who are behind in their rent cannot get work because the Government has not provided any on the reserves, but they are hauled before the court in Murgon to make them pay the back rent.

They told me of numerous instances in which people have had to pay not only the back rent but the court costs as well. That is a dreadful state of affairs. They are being dunned for very small amounts of back rent and for small amounts owing on their electricity accounts.

Today I was telephoned by a certain man at Cherbourg. After I visited the place, I received advice that people I visited were threatened with reprisals. They were threatened with being turned out of their houses.

The Minister cannot deny that the manager of Cherbourg went to see this man today, a Mr Simpson, and again threatened him that, if he did not pay the \$18 that is outstanding on his electricity account, his electricity would be switched off. That man has a one-month-old baby and many other children living in a house that is totally uncared for by the department. His bathroom is not even supplied with hot water. And the bathroom is a run-down, detached building at the back of the house. He has to reach it by walking over duck-boards. Yet the department has the hide to charge that man rental. That is in Cherbourg, which is Mr Stewart's own community. He is one of the Minister's sycophantic leaders.

Mr Katter: How long did it take you to have the last problem that you brought to me fixed up?

Mr SCOTT: The Minister has not fixed up one of the problems that I have taken to him. I have not even received letters from the Minister. However, I will not enter into a debate with the Minister. He knows that he has not fixed up those problems.

Today, the manager at Cherbourg was dunning a man for \$18 owing on an electricity account. Let the Minister answer that one. He should do something about the condition of the houses. The people have suffered enough. I beseech the Government not to victimise them any further.

I now come to the first provision in which the powers given to Aboriginal and Islander people are being increased. This provision concerns funding. They will be able to borrow, and they will be able to undertake loans in their own right. The councils should have been able to do that all along, because they have been incorporated since 1979. That incorporation allowed them to receive Commonwealth money. The present Commonwealth Government—the most sympathetic Government—has been able to give those communities money. As well, as I say, the councils will be able to borrow on the open market. Of course, they will be totally trammelled. The Bill provides—

“Every security, safe custody acknowledgment or other document evidencing title issued in respect of any investment shall be held by the Island Council concerned or by the Treasurer on its behalf.”

I should assume that a loan, too, is included.

That type of provision appears throughout this Bill. Matters have to be referred back to senior Government officers. The feeling among Government members is that the Aboriginal and Islander people are not able to stand on their own legs, nor are they able to do their own thing. They will be prevented from doing their own thing. And this is the legislation that the Minister claims is acceptable to the Aboriginal and Islander people! He says that they have told him that and that it is admirable legislation. He has not even allowed them to read the legislation. He has been too busy wining and dining them; he has been too busy misleading them with bland promises; but they will not get anything. Here it is in black and white!

Things have got to a stage well past the Minister's rhetoric; he has to perform and tell this House about what he is doing by way of legislation. He is certainly not doing the proper thing by the black people.

Mr Katter interjected.

Mr Casey interjected.

Mr SPEAKER: Order! I warn the member for Mackay.

Mr Fouras interjected.

Mr SPEAKER: Order! I warn the member for South Brisbane.

Mr SCOTT: I come to one of the services areas in which there has been no provision for services—law and order. This division is headed “Jurisdiction and powers of Queensland police”. That is the first item in this division of the Bill. It shows what the Government thinks of the Aboriginal and Islander people. Later in the Bill, reference is made to Island police, but the Bill contains a good deal concerning the powers and jurisdiction of the Queensland police. Obviously, the Minister has not allowed the Queensland police to have anything to do with the Island police. No provision is made to enable the Queensland police to train the Island police, nor does the Bill contain a provision to allow Island police to be brought into the Queensland Police Force. The Island police are relegated to a subsidiary role, without any training.

I would like to develop the theme of training, because it is one of the promises that the Government has made over the years and one of the promises that it has not honoured. I could ask any Island policeman about training. I will bet that the Minister did not even talk to the Island policemen. If somebody asked the councillors, “Have the Aboriginal police been given any training?”, the answer he would receive must be, “No.” I have written to the former Minister for Police (Mr Hinze) about this matter. If he was in this Chamber, he would agree that I have written to him to try to get a training scheme implemented. One small segment of training was implemented on Thursday Island. The white sergeant of police has been transferred and now there is no more training. I would like the Minister to give me one instance of any training that has been given. The

Island police have been given a very interesting role. When I said that there is very little reference to services, I overlooked one very small point—the other functions of the Island police. I wish to read in full the following provision in the Bill, because it is a classic. It states—

“An Island Council may by its by-laws or otherwise as it thinks fit charge Island police appointed for the area—”

the ubiquitous word “area” appears again—

“for which the council is established with responsibility for ambulance services, fire-fighting services, emergency services and such other services associated with the local government of the area as it thinks fit.”

What a dreadful indictment of Aboriginal people. That is the services legislation. It appears in black and white, and the Government cannot deny it. That is a ridiculous provision. The Opposition will be considering amendments to it.

There is nothing new with the Island Courts. There is nothing about services. I have mentioned that visiting justices have very rarely done their job. The only person who has made any reasonable effort was Mr Spicer, who works out of Mareeba. The Aboriginal communities in my electorate are able to go to him and talk to him. I do not think that he has made a report. If he has, I have not seen it. The Opposition will be looking very closely at the jurisdiction of Island Courts. There is a conflict of interest there.

I turn now to the most interesting entity. It is known as the Island Co-ordinating Council. It will continue the responsibilities of a body known as the Island Advisory Council. If ever there has been a misnomer, it is the Island Advisory Council. The Government has never listened to any advice that the Island Advisory Council might have given to it. It has never listened to any advice from the Aboriginal Advisory Council. They are statutory organisations that the Government has always ignored totally. Government back-benchers could not name the members of those committees. Now that I have alerted them to it, they will rush round and find out so that they can stand up and say who they are. It has been perpetuated as the Island Co-ordinating Council.

Mr Prest: He has to ask the director the names of those people.

Mr SCOTT: That is right. The director has appeared, too.

Mrs Chapman: You tell us, Mr Scott!

Mr SCOTT: I will continue to tell honourable members about it. I have 29 minutes remaining.

The name of the Island Advisory Council will be changed to “Island Co-ordinating Council” I want to know what the job of the Island Co-ordinating Council will be. Will it have an office from which it will work? Will it have a secretariat? Will telephones be provided? Will it be provided with the normal sorts of communications that one would expect a co-ordinating council to have? From where has the Island Advisory Council worked? The Minister has made many pleasant trips to the Torres Strait. I ask him to tell me from what offices has the Island Advisory Council worked. He is not able to tell me because, as far as the Government is concerned, it does not exist for any real purposes. That is a dreadful state of affairs. The Minister appoints those puppets and leaves them dangling on the end of a string. They are not given a proper job to do. Such an organisation will never be used.

The Minister should be listening to these people of integrity, taking advice from them, talking to them and providing facilities from which they can work. The Minister knows that that has been denied to them. The only facilities that have been provided, even for the Island Councils, have been provided by the Federal Government. The Federal Government has provided the buildings from which the councils work. I will describe the shed from which they work, because the Minister would not know about it. He walked past that building with scales over his eyes.

It is a long building, provided by the Commonwealth, of course, not the State. In the middle is provision for machinery, such as the tractors that have been provided by the Commonwealth, and the other items of machinery that have been provided by the Commonwealth, such as the cement mixers that they use for their work. At one end of

that fairly long shed is an area in which items are kept that require a secure fence round them—again provided by the Commonwealth Government, not the State. At the other end is provision for the council office. That is where the council chairman and the other councillors have to work. That again is an indictment of the Government. These are the conditions under which it has allowed those people to live and work. I have described the houses. This is the working side of their lives, where they are trying to run their communities with the authority that the Government is supposed to have given them. It has never given them any authority. Under this dreadful Bill the Government is continuing to deny them that authority.

The Minister will have power to divide the Torres Strait into areas of responsibility. From those areas will come the members of the Island Industries Board and the Island Co-ordinating Council. There is no reference to elections. Those people will be nominated, but probably not by the Minister. He will be gone before very long. They will be nominated by “political Pat”, who still has his toils and still has his fingers not only on the State’s money that he used for campaigning but also on the lives of these people. It will be “political Pat” who will be twisting these people round as he has done over the years.

Mr Katter: You haven’t even read it.

Mr SCOTT: I have the Bill in front of me. We have gone into this in great detail, as can be seen. The Speaker was critical—

Government Members interjected.

Mr DEPUTY SPEAKER (Mr Booth): Order! I will have a little less noise and less cross-firing so that the member can make his point.

Mr SCOTT: Thank you for your protection, Mr Deputy Speaker. I can handle the people who are interjecting.

Board members will be appointed, and will continue to be appointed. It is a sad state of affairs that the Government will continue playing with their lives.

The great hope of the island people was that the Island Industries Board would be handed over to them. They are the ones who have done the work at the lower level. Over the years, it is the island people who have done the work. For the information of honourable members—and even for members of the committee who would not know what the Island Industries Board is—I point out that it is a retailing organisation set up by the Government. It is a little bit of socialised industry in which the National Party takes great delight. It is a nationalised retail outlet, one might say. Its main office, bulk store and one of its major retailing outlets are on Thursday Island. Branch stores are on the outer islands and at Bamaga. As I said, the Islander people do the work. They are the Indians. The chiefs are the white people.

The board is under the control of the manager on Thursday Island. That is perpetuated in the legislation, which says that for a period of four years the board will be under the control of the white manager on Thursday Island. Where is the autonomy? Where is the control of affairs that is being given to the island people? Where is the right to run their own affairs? It certainly does not appear in this legislation. The number of Islander representatives on the board has been increased, but half the time they are not notified that a meeting is on. Consequently, they are unable to attend. I have been told countless times that when important business is to be conducted by the Island Industries Board key island chairmen are not notified that the meeting is being held. Of course, there has been a white secretary, a white administration officer and white senior staff. The most senior person on the board of Islander extraction has been an assistant manager. If the Islanders do not stay in line, they are treated very roughly.

The Minister spoke about all the matters that he had fixed up. I have written to him about the acting manager who was put out of his house and sacked. Then he was given his job back because of a concern about a back-lash. He was sacked again because he asked for decent accommodation. What did the Minister want him to live in? In the medical aid post on Badu Island. He is a young married man who wanted to have his wife and family with him. When he protested, the Minister sacked him. If the Minister did not sack him, the director did. The Minister has not replied to me on that one, either; so his record is not very good tonight.

The officers and employees of the board will continue, subject to the Minister's direction. Part of the Bill provides that profits of the board shall be applied to the general welfare of Islanders. In what way? In such manner as the Governor in Council from time to time directs! For the benefit of those in the gallery, the Governor in Council is the members of the Cabinet of this Government sitting in the presence of the Governor.

Mr Prest: And how they dislike the Aboriginal people.

Mr SCOTT: From the Premier down, they dislike the Aboriginal people and try to push them aside as people of no consequence.

I am especially worried about one wonderful provision, which enables the board's assets to be relinquished to local control. My reading of that means that the assets of a branch store can be handed over to certain favourite people. I wonder what is meant by "to transfer the conduct of the business"?

Another part of the Bill deals with entry upon areas—what a delightful little phrase! It does not use the term "shires", "towns" or "reserves". In this regard there is a conflict between two of the provisions of the Bill. The Opposition will move amendments to try to bring some sense to these provisions. Such conflict is evidence of hasty drafting of the Bill and of lack of consultation. If any draft legislation or any discussion paper had been shown to the Aboriginal people, they would have picked that up, but of course they were not given that opportunity.

Assistance to Islanders is being perpetuated and I have no disagreement with the provisions for grant of aid. However, on many occasions I have had to ring managers and tell them that I have a person in my office who is in need of a grant of aid. I have had the greatest battle. The people who come to me have already been to the local office of the DAIA and seen the mignon at the desk, who has turned them away without any hope. Often they are told to go somewhere else and are sent on their way with a little bit of criticism about their state of sobriety. When someone in a DAIA office can make those sorts of comments, there is complete contempt for Aboriginal and Islander people.

Mr Fouras: Exactly the same provisions are in the previous Act. What is new?

Mr SCOTT: That is so. This is supposed to be new legislation, but it is the same legislation in a new cover.

Another delightful provision enables Islanders to deposit savings with the under secretary. I would not trust my savings to the under secretary, because he is the director, and he might use them for his next election campaign. I certainly would not deposit my savings with Mr Killoran. Either that part of the Bill will be amended or the director will be removed from the department. Fancy giving savings to the under secretary so that he can go campaigning for the National Party.

Mr Underwood: He is a member of the National Party, too.

Mr SCOTT: Yes. The Minister helped the director campaign for the National Party.

Mr Underwood: What a failure they were, too.

Mr SCOTT: Yes, what a pigeon pair.

Administration of estates of Islanders is another provision of the Bill and is a point that I have raised with the Minister, but on which I have received no reply. Because the sticky fingers of the director will not let go of their money, Islanders cannot even place tombstones on the graves of their departed relatives. That is a terrible state of affairs that will continue because the under secretary will administer the estates of Islanders. For those who have not got the message, he is the director. The Bill empowers him not only to have a go at the savings of Islanders but also to administer their estates. Many Islanders have asked me questions about the old pearling days when that very same man was on Thursday Island manipulating the luggers which were supposed to be owned by the Torres Strait Islanders. I would like to know where the profits of that manipulation have gone. I bet they have gone into houses in Brisbane which are now rented out to Islander people. That is a terrible scandal.

Mr McPHIE: I rise to a point of order. This is a personal attack on a public servant. It has nothing whatsoever to do with the Bill.

Mr DEPUTY SPEAKER (Mr Booth): Order! Unfortunately, I cannot accept the point of order.

Mr SCOTT: It is not a personal attack. If the Government had not written the man into the Bill, there would be no need to say these things.

Mr KATTER: I rise to a point of order. The remarks reflect upon people in this House, because this Government is charged with that. What the honourable member has said is absolute rubbish, and I ask him to withdraw.

Mr DEPUTY SPEAKER: Order! I would like the Minister to tell me how the remarks reflect on people in the House.

Mr KATTER: There is me as Minister and a number of past Ministers in this portfolio in the House, and any mismanagement of funds automatically reflects on them.

Mr DEPUTY SPEAKER: Order! The Minister has said that the remarks do reflect on him. I think they do. In view of that, I ask the honourable member to withdraw the remarks.

Mr SCOTT: I withdraw them. The Minister has been in the portfolio only a few months. We will see how he controls the under secretary. We will give him a go. I have written to him and tried to establish friendly relations.

Mr DEPUTY SPEAKER: Order! I would like to establish whether the honourable member has withdrawn.

Mr SCOTT: I have.

I will now continue the remarks that I began to make about my relationship with the Minister. I will admit that I have been in confrontation with former Ministers, but on every occasion I have made the initial move to co-operate with them so that I could work with the department. I have great respect for departmental officers when they do their job and when they stay out of politics. I do not name them if they observe the normal Westminster conventions. I have the greatest regard for the permanent public servants in the Lands Department and the departments under the control of Mr Hinze and Mr Wharton. I get on well with those people because I am a person of integrity, as they are people of integrity, and I respect them. But when people begin campaigning under National Party colours, they are fair game like any other National Party candidate.

Mr McPHIE: I rise to a point of order. The honourable member for Cook is not speaking to the Bill; he is again attacking a servant of this Government.

Mr DEPUTY SPEAKER: Order! I cannot accept that point of order.

Mr SCOTT: What a trifling effort!

Now I come to the supply of beer in areas. Again, the word is "areas"; not towns, not reserves, not shires not communities but areas. This is one way in which the director has also played games with the Aboriginal people, because he uses their canteens as a means of imposing discipline. That is also perpetuated in this legislation.

For those honourable members who might have been keeping count, I have been able to mention only one part of this legislation in which there is anything new; yet the Government is telling us that it is the panacea for the ills of the Aboriginal and Islander communities. It is not. It is useless medicine trotted forth in a different bottle. It is bitter medicine, because the ubiquitous under secretary is able to exert so much power over these people through their canteens—the one thing that the people in the communities control themselves. Under the Act, they look after the canteens themselves, and they should continue to do so under this legislation. But the under secretary has the right to switch those canteens on and off.

The Bill states—

“If the Under Secretary is satisfied that—

(a) the sale and supply of beer from premises established in an area pursuant to this section is, directly or indirectly, the cause of regularly occurring disorder or breaches of the peace in the area;

...

he may by notice in writing given to the chairman of the relevant Island Council call upon the council to show cause at a time and place nominated by the Under Secretary why such premises should not be closed down.”

Members will note that the time and place are nominated by the under secretary, not by the council.

Mr Wilson: Do you think the Government and the administrator regard the Torres Strait Islanders and Aborigines as people?

Mr SCOTT: No, it is very obvious that they do not regard them as people. They are pawns in the political game, and this Bill perpetuates their position.

I think it is a shame that those people have to sit in the gallery and listen to their pride and joy being torn to shreds in this manner. It is being torn to shreds because they did not write the legislation, nor did the Minister. It was written by the director.

On the subject of the battle between the director and the Minister—it is still the old dog for the hard road. So the Minister will bite the dust; there is no doubt about that. He will bite the dust because this legislation is not acceptable to the people at whom it is directed.

The Bill contains a further dreadful provision. It relates to obstruction, intimidation and assault. Clause 77 states—

“A person shall not assault or wilfully obstruct or intimidate, or attempt so to do, another in the discharge or exercise by that other of his functions, duties or powers under this Act.”

The penalty for such an offence is \$500. That is more money than any Islander would receive for a month's work. If he objects to the way in which the director or under secretary tries to impose on his life—

A Government Member interjected.

Mr SCOTT: That will be enough to constitute obstruction, intimidation or assault. When the clauses are debated, we will give examples of the way in which that threat of a charge will be used to control people. What a provision to put in legislation that is allegedly acceptable to Aboriginal and Islander people!

Mr DEPUTY SPEAKER (Mr Booth): Order! I ask the honourable member to stick to the Bill. At this stage, we are not debating the Bill clause by clause. I ask him to try to keep off the clauses.

Mr SCOTT: I can legitimately refer to the regulations. For the edification of honourable members, I point out that there are 23 pages in the present Aborigines Act. There are also 23 pages of regulations that we do not see until we go and look for them. On a proportional basis, one can assume that 30 pages of regulations are to be introduced. We have not seen them, and certainly the Islander leaders have not seen them. The leaders are being told by the Minister to say that they agree with the provisions of the Bill, that it is good legislation, that it will free them and that it will give them new lives and new pride in the way they conduct their affairs. There will probably be 30 pages of regulations. Not even the back-bench members of the Government can tell us anything about the regulations, because they have not been written yet. The director is still toiling over them.

The Bill requires lengthy analysis. I have given an outline of the areas in which the Bill is wrong. I have made an honest effort to try to praise the legislation.

Government Members interjected.

Mr SCOTT: Government members have made my point. There is nothing to praise. It is not even like the curate's egg; it is not even good in parts.

Mr JENNINGS (Southport) (9.48 p.m.): This is an exciting Bill. It is a bit more exciting than the speech of the member for Cook. I would give 90 per cent for delivery but only 10 per cent for content.

He has said that this is a dreadful Bill. He said that it is the present Act under a different cover. We all know that that is not correct. He said also that we have not had discussions with any of the communities. That is completely untrue, and he knows it.

He repeated criticism that has been made in the past. He referred to oppressive legislation. He said that we heightened the hopes of the Aboriginal and Islander people. He also criticised the Premier's announcement during the election campaign. I thought that, usually, political parties make promises during election campaigns and then, when they are elected, carry them out. Because the Government has honoured a promise, the member for Cook is criticising it.

He even criticised the sunset clause. Does he want the present Act to continue? Many times he said that consultations have not taken place. One of the great men of the 1930s said that the more times an untruth is told, the more likely people are to believe it.

An Honourable Member interjected.

Mr JENNINGS: The member for Cook obviously does not like the Bill. He thought that it was going to be a lot different from what it is, and he is disappointed that it has produced the goods. He criticised the Minister's meetings with the Cattlemen's Union and that shows how one-eyed and biased he is. Of course the Minister would meet with the Cattlemen's Union because the cattle industry is a very big industry in the north and the Minister wants the Aboriginal people to have the opportunity to work hard in that industry. The Government wants their co-operation. The Government does not call them blackguards as the member for Cook did for the last hour and a half. The Minister has communicated with everybody in the north.

The member for Cook said that the Bill was someone else's legislation, that it was prepared some time ago and that it was ready by 23 March. That is completely untrue. He said that the director, who will become the under secretary, was breathing down the Minister's neck when each clause was drafted. That is also completely untrue. The member made derogatory references to public servants as well as the director. Those references are also completely untrue. He has already criticised the Premier for making derogatory statements about Senator Margaret Reynolds who visited the House this morning, but he criticises public servants.

The member for Cook complained that there was no reference in the Bill to housing. I do not think that that is very wrong. I know that the Minister will move some amendments at the Committee stage. The Minister will no doubt comment about housing and land. The people in the communities will be able to purchase their own houses and land, within the confines of the reserves. That provision was agreed to by the Aboriginal and Islander leaders, and the Government will stick to that provision. The Federal Minister (Clyde Holding) and his Federal colleagues have done nothing about that.

The member for Cook said how terrible it is that the Department of Aboriginal and Islanders Advancement will handle the estates of people living in the communities. The department will only step in under certain circumstances. The member for Cook obviously cannot read. Anybody in the community can make a will, just as all honourable members can, and the provisions in the will must be carried out. The only reason that the department is involved is to save the people the cost of the Public Trustee. The department could hand this work over to the Public Trustee, but that would cost the Aboriginal people money.

Opposition Members interjected.

Mr JENNINGS: The member for Cook has misled his own colleagues, and they have not read the Bill either.

Honourable Members interjected.

Mr JENNINGS: I do not mind that my time is being taken up. Government Members did not interrupt the member for Cook because we wanted to listen to what he had to say. It was fascinating to hear him speak for so long about so many unusual things.

The member for Cook said that the people in the communities would not be able to vote in local government elections. That is completely wrong. They will be able to vote in their own council elections. I cannot vote in more than one local council election, nor can any other member. The Aboriginal and Islander people are not second-class citizens. That is rubbish. His reference to these fine people as animals is disgraceful and he should retract that comment. That is what he said, make no mistake about it. He completely misunderstands the Bill.

Who created these reserves in the first place? What sort of Government was it that put Aboriginal people onto these reserves? It was a Labor Government. Labor members have kept quiet about it and now the Government is trying to fix it, and they do not like it. The honourable member for Cook completely ignored that. He even criticised the provision made for a visiting justice. He does not want a justice to visit the islands. All he does is criticise.

An Opposition Member interjected.

Mr JENNINGS: You have him as your shadow Minister; I don't have him. You have to live with him. You had to live with him for about 1½ hours; I didn't.

Mr DEPUTY SPEAKER (Mr Booth): Order!

Mr JENNINGS: At least the honourable member for Cook praised the retention of the councils, but he said that they are not under the Elections Act. They are under the Elections Act. The Minister will confirm that. The councils have been told that they will be under the Elections Act. They are covered by the Local Government Act. A claim that they are not under the Elections Act is totally untrue. Keep a tab on all the untruths that the member for Cook told. The list is getting longer.

He then criticised the procedure concerning borrowings. He said it was terrible that the councils had to report and to do this and that. Of course they have. Every other local authority has to do that. Every member of every local authority wants it to be that way. That is how it should be; it is right. But the honourable member for Cook does not want things to be right and proper.

He even criticised the jurisdiction of the Queensland police and the Island police. He asked what is the job of the Island police. Everyone who goes to the Torres Strait islands is most impressed by the job that the Island police do. They are restricted to their own communities, and they do an excellent job. It is wrong to criticise the jurisdiction of the Queensland police.

The honourable member then criticised the Island Co-ordinating Council and the Island Industries Board. Next he criticised the rights of the community councils to buy stores. What does he want? He has criticised their right to buy stores. They do not have to buy stores. They have the right to put up a proposition concerning the purchase of stores, and they have the right to start their own store. They can start three or four stores if they like. They can even establish a service station. Yet the honourable member for Cook criticises that aspect of the Bill. He is really lost.

Mr Casey interjected.

Mr DEPUTY SPEAKER: Order! If the honourable member for Mackay wishes to interject, he will return to his usual place.

Mr Casey: I will go, Mr Deputy Speaker; I cannot stand this any longer.

Mr JENNINGS: That is a blessing.

The honourable member criticised Victorians. He should criticise the ex-leader of the Victorian Labor Party, who happens to be the Federal Minister for Aboriginal Affairs. I would not trust him round the next corner. I will not expand on that, but the honourable member for Mackay, who has just left the Chamber, knows that that gentleman left Victoria under a great cloud. A good deal of money was involved.

The honourable member for Cook criticised the lodging of savings with the under secretary.

Mr Prest: Weren't you in the land swindle in Victoria?

Mr JENNINGS: I exposed the swindle and showed up what Clyde Holding and all the rest of them did.

Mr Prest: You were in it.

Mr JENNINGS: That's a joke! However, I will not deal with the Labor Party crooks in Victoria, because they were the greatest cover-up merchants in the business. If the honourable member wants me to give the Labor Party a serve in relation to that matter, I will tell it exactly as it was, including what Clyde Holding got.

Mr Prest: Tell us about the dealings of Doug Jennings in land.

Mr JENNINGS: I will tell Opposition members all about that, too.

The honourable member for Cook complained about lodging savings with the under secretary. The Aborigines and Islanders can lodge their savings with banks if they wish to. A savings bank service is being provided by the department. He also criticised beer, and talked about obstruction and penalties of \$500.

Everyone knows that a \$500 penalty is the maximum penalty. This is an exhilarating and historical night. Many hundreds of press articles have been written over recent years about the Aboriginal land rights issue. I do not think that any Government in Australia or the British Commonwealth has been maligned and criticised as unjustly as the Queensland Government has been.

In July 1981 there was a great deal of talk about the Commonwealth Games not going ahead unless the Queensland Government did something. That was unmitigated arrogance. Attempts were made to stop the Commonwealth Games. The people who did that were not the sort of people from the north with whom we are dealing now. One of the leaders was the current director of the Commonwealth Department of Aboriginal Affairs.

An attempt has been made to create a guilt complex on the basis that somehow we have to justify the legitimacy of occupation of our land for something that happened 200 years ago. Somehow we are supposed to feel guilty about that. No-one should accept that suggestion. As members of Parliament we have a major responsibility to consider parents, children and future generations. Australia is totally different from what it was 200 years ago. It has been suggested that the Constitution, which was brought into operation in 1901—thank goodness for our forefathers—should apply to a situation that occurred 112 years before. Many calls have been made to sign the Makarrata treaty. The signing of a treaty such as the Makarrata treaty would be a disaster for this country. It would immediately create a situation in which we would be expressing legally a position that would be seized upon by extremists. It would destroy the unification of this country. It would put the law-readers above parliamentarians, the elected law-makers, and so make us powerless to control the vast areas of this nation.

It is very interesting to note that the Aboriginal Treaty Committee disbanded on 23 February this year and decided to cease its activities. There is an article signed by H. C. Coombs that refers in some detail to that.

Not so long ago there was talk about stopping the Commonwealth Games. Newspaper headlines that appeared at that time included "Charles Perkins: How we will stop the Brisbane Games". Perkins outlined strategies on how he would stop the Games. Another newspaper carried the headline "Meet our deadline or there will be violence". It is typical of what went on. An attempt was made to create a fear complex in our society. It hit home with some of the people in the south.

Extremists have been on this kick for many years. I will read one extract from the "Workers Weekly", which is a Communist Party paper. It is dated 24 September 1931. It states—

"The handing over to the aborigines of large tracts of watered and fertile country, with towns, seaports, railways, roads, etc., to become one or more independent aboriginal states or republics. The handing back to the aborigines of all Central, Northern and North West Australia to enable the aborigines to develop their native pursuits. These aboriginal republics to be independent of Australian or other foreign powers. To have the right to make treaties with foreign powers, including Australia, establish their own army, governments, industries, and in every way be independent of imperialism."

No-one in the north would want that. Australia is a unique nation, and everyone knows that. Australia is the only nation in the world that was born without war or revolution.

Mr De Lacy: You said that yesterday.

Mr JENNINGS: How right it is. Does the honourable member argue with that?

Australia is the only continent in the world inhabited by the one nation. They are the two fundamental things that we must protect. As I have said, we have a responsibility to all children.

This is a great opportunity for me to pay tribute to the Minister (Mr Katter) for the work that he has done. He has been all over the north and has done a terrific job. That must be acknowledged by everyone. It has been a thrill to be involved with his committee. It has been a hard-working committee. Everyone has contributed. It has been a great thing.

Over the years, the Premier has given a number of assurances that the Government will amend or repeal the Aborigines Act and the Torres Strait Islanders Act in any way that the conferences require. He has said that there is no problem, except with certain people. How right he has been. Steady progress has been made by the Government. The deed of grant legislation is indicative of that.

As we all know, there was a problem at Aurukun in 1981. That was fixed up when the Minister for Local Government, Main Roads and Racing came into it. In November 1981, Senator Peter Baume, then Federal Minister for Aboriginal Affairs, said—

“Although individual Queensland ministers have made public comment, the Queensland Cabinet has not at the date of writing announced any firm decision. In July, I identified four principles which the Commonwealth wants satisfied in any solution. They are:

The integrity of the present reserve boundaries be maintained—”
which has been done—

“Secure tenure for occupants and preservation of their rights to use the land—”

which has been done—

“Local communities to play a significant role in the management of the reserves—”

which is being done tonight, and—

“full consultation with Aborigines and Torres Strait Islanders before any decision is made.”

That has been done. Those are the four things that the Commonwealth wanted. I am proud to say that we have done them.

In March 1982 the bishops of Queensland expressed concern about the legislation and said what should happen and what should not happen. It was not long after that that a letter was received from the Diocese of Rockhampton commending the Minister for the proposed legislation and urging members of the Legislative Assembly to support the amendment. That letter was sent on 7 June 1983.

Mr Holding, in Canberra, has done a lot of promising. He sees land rights as reparation. He said that, as far as that Government is concerned, legislation granting Aboriginal land rights in every State is to be introduced by the Federal Government within a year. While he was saying that, Charles Perkins was saying many other things. They talk about “inalienable freehold”. What is that? Who will control it? The Aborigines and Islanders in Queensland know who will control it. They know who will control their destiny and who will be able to own his own house and land. They know they will not be thrown out of their houses and off their land.

The Aborigines in Victoria have extremists among their number who want 5 per cent of all existing rates paid.

I could make many other comments about the speech by the member for Cook. He said that we did not have consultation, so I would like to read a handwritten document signed on 23 March this year at Yarrabah. It says—

“That this meeting expresses its support for the principle of individual private property ownership of house and land blocks within the reserve area. Applications for the allocation of these areas are to be determined by the council. For rural lands

outside the town areas other than house blocks, the councils will be authorised to arrange leasehold conditions for the development and use of such lands subject to a review of this policy in 5 years by the Government and the Councils; and also subject to the provision of Town Common areas and Lands required for public purposes."

Another one reads—

"The elected representatives of the Torres Strait representing the wishes of the majority of the people of these islands call for the provision and establishment of self management of the islands in accordance with similar and existing local government principles throughout Queensland bearing in mind that the administrative arrangements would be under the specific control of the individual council."

That is the first part. The next part reads—

"For land outside the village areas the councils will be authorised to arrange leasehold conditions for development and use subject to a review of this policy by all councils and the Government in 5 years."

There are plenty more where they came from. Many good things are happening up there but there has been much bad press in the south, which has been irresponsible and ill-informed. Hope Vale now has lease conditions and the Edward River Mission has a fantastic crocodile farm, which is a great credit to all concerned. It is great to go into some of those areas to see how tidy they are. All the Islanders have pride in their islands. There is great tourist potential in that area, which could enable some Islanders to commence their own businesses.

An important point is that some of the bigger areas such as Edward River, Kowanyama and those further north are some of the best cattle-breeding areas in the country. With good management of cattle operations and the right cattle-breeding techniques, invested capital can be doubled by the end of the third year and, if it is carried out correctly, trebled by the end of the fifth year. A number of different management techniques have to be used. I certainly recommend that, when the board is established, a man who can fly a Cessna 182 and has experience with cattle be appointed to work the properties there. Naturally some good horses will have to be broken in and holding paddocks will be needed to clean up the brucellosis and TB. Yards and fences will also have to be constructed.

Mr Scott: Do you know what wages they are paid by the department? They are pitiful.

Mr JENNINGS: That is rubbish. Where has he been living? Stockmen in that area have been paid award wages for years. The honourable member knows as well as I do that there are no better stockmen than those in the north. They are clamouring for work and must be given the opportunity to work those properties. They have to be given the chance to build those properties up and build watering facilities, fences and other improvements.

The member for Cook does not seem to want cattle stations up there. All through his speech he spoke about the under secretary and completely ignored the fact that the under secretary is subject to the Minister. There is no way that we, as members of Parliament, and the Minister want to avoid our responsibilities. The Minister takes 100 per cent responsibility for the legislation. The Government is proud of the legislation and will see that it goes through. I would like to hear the Opposition advance its alternatives.

There is no doubt that the establishment of local authorities in these areas will bring responsibilities to the councils. When I visit these areas I always like to see them neat and tidy, just as everyone else does, but sometimes they are not. The member for Cook criticised the borrowing powers and the short-term investment powers, which are part of good management. The establishment of the Island police is simply grass-roots justice. All the Aboriginal and Islander councils will carry great responsibility in controlling entry into the areas.

I know that all honourable members, including the Minister, would like to see the establishment of training schemes for the Islanders so that every community has a trained carpenter, plumber, electrician and other skilled tradesmen as well as those who want to be store-managers and so on. That area has to be given a great deal of thought and hard work before results are achieved. The areas up there have very many fine fellows who need to be trained, and they should be.

The areas provide great opportunities for tourism and other development. However, the press in the south and the Commonwealth Government have been mouthing off. Both Mr Holding and Mr Perkins have been talking about control, but not by whom. They want

control by people in Canberra. The Queensland Government does not want that at all; it wants control in the hands of the people who live in the communities, and that is exactly what the Federal Government does not want. It wants bureaucracy and control from Canberra. For a long period there has been very bad press in the south. The training of managers and tradesmen is a must. There must be an incentive to work.

Mr Borbidge: They're listening to people like Mr Holding.

Mr JENNINGS: That is right. Mr Holding tried to beat us to some communities. He went to some other communities after us and tried to change what we had been saying.

We feel that this legislation will give every one of these people a pride in their town, island or settlement and a pride in this State and in Australia. That is what we are all about. This legislation is not meant to divide although, unfortunately, the Northern Territory legislation is doing just that because of its involvement with mineral rights and that sort of thing. It is frightening away investment, jobs and progress. That is why we did not become involved in that sort of thing. We are involved only in promoting the areas.

When we went to Weipa South some of the dear old people there said that they wanted to go back to Mapoon. They lived there years ago, and liked it. Under this legislation, that is something they will be able to do.

This legislation is a genuine attempt by this Government to introduce something that is first rate. I am proud of it, and I think that everyone on this side of the House is proud of it. A lot of work has gone into it. It has not been done overnight. We have lost a lot of time doing it. Other improvements will follow in the future. This is not the be-all and end-all, but it is a step in the right direction. It is all very well for people like the member for Cook to criticise, but it is a case of saying what they would do. There are a lot of people in the communities who fear too much change, and justifiably so. People came to us and said, "Don't be patronising." It is not a case of being patronising at all; it is a case of being realistic. I have great respect for these people. In the seven years that I spent in the north, I saw how hard they worked. I saw them take terrifically bad tumbles from horses and get up and go back—

Honourable Members interjected.

Mr DEPUTY SPEAKER (Mr Row): Order! Multiple shouted interjections will not be tolerated by the Chair. Coherent single interjections that are accepted by the member will be tolerated by the Chair, but this continual shouting will no longer be tolerated.

Mr JENNINGS: I do not say that stockwork is the only thing they can do, but it is something they do very well.

This legislation is a genuine attempt to improve what we have. Queensland is further down the track than any other State or anywhere else in the world. The Bill will provide incentive and opportunity for advancement for Aborigines, for their children and their children's children.

Mr De LACY (Cairns) (10.18 p.m.): I rise to speak briefly, and I do so with a great deal of sadness because I do, and have always had, a genuine concern for the Aboriginal people of this State. It is quite obvious that in this legislation they have been given a very raw deal indeed.

Tonight we have had the dubious privilege of witnessing the greatest confidence trick ever perpetrated on the Aboriginal people of Queensland, and that is no small statement. During recent months they have been encouraged to believe that there were people in the Government who had a genuine concern about them, who were really trying to do something to meet their very important needs. The Minister has said in many celebrated press statements—and we have just heard Mr Jennings take it up—how his committee went round and consulted with the people. We in the Opposition admit that, but what they must have done is speak to them in the manner in which conservatives always do. They never speak with the people but to the people. They told the people what they thought the people needed to know.

I get reasonable feedback from the Aboriginal people, particularly the people of Yarrabah in my electorate. They said to me, "Look, it seems that this Minister is fair dinkum. He comes out and sees us. It is the first time a National Party Minister has ever come and talked to us and seemed to be concerned about us." The Yarrabah people always have their reservations about it, of course. They said, "He seems to come and see us on very quick and lightning visits. He confuses us. He does not answer specific questions. He won't give us details of the legislation. However, he does seem to be fair dinkum. He asked us to trust him. Do you think we should?" I said, "Sure. If you get those kind of vibrations, you trust him." To the extent that they have trusted him, they have had their fingers burnt well and truly.

If this Bill is any indication of a genuine attempt to address the real problems facing the Aboriginal people, I would hate to see a malicious attempt. The Aboriginal people have been misled and betrayed to a greater extent than ever before. This Minister stands condemned as being more sinister than most of his predecessors, simply because he created the illusion that he really cared about the Aboriginal people.

Mr Miller: What are you concerned about in this Bill?

Mr De LACY: It is just as paternalistic, autocratic and devastating in every sense as the Act that it is designed to replace. It does not address the real problems. It has got no closer to realising the objectives of self-management and self-determination, which the Minister said was his objective when we debated the Land Act Amendment Bill.

Mr Miller: Can you be more specific than that?

Mr De LACY: If the honourable member wants more specifics, I refer him to the speech made by the honourable member for Cook. He went into specifics in great detail.

Mr Miller: Would you mind telling me what your complaint is?

Mr De LACY: I ask the honourable member for Ithaca to tell me which party he is representing while he is interjecting.

In my speech in the debate on the Land Act Amendment Bill I said that there was an imminent split in the National Party between the pseudo-liberals—at that stage I put the Minister into that group with the organisational people and, on the other side, the Premier and the director.

Honourable Members interjected.

Mr DEPUTY SPEAKER (Mr Row): Order! There is far too much shouting in the Chamber. I have already referred to it. If it does not cease, I will repeatedly interrupt the debate, and honourable members will be kept here longer than they expect to be. I wish to hear the member in reasonable silence.

Mr De LACY: Thank you, Mr Deputy Speaker.

As I was saying, the conflict was between the pseudo-liberals and the racist arch conservatives—the Premier, the director and the black-bashing members on the Government back bench. At that time I said that it will be interesting to see which side wins the battle. I regret to say that the director won; Killoran won. He is the real Minister for Aboriginal Affairs. He has occupied that position for a long time, and I regret to say that he looks like continuing in it.

Tonight I wish to say a few words on behalf of the people of Yarrabah.

Mr Price interjected.

Mr DEPUTY SPEAKER: Order! The member for Mt Isa is defying my ruling. His voice is loud. I warn him under Standing Order 123A. I will warn a couple of members on the other side of the House, too.

An Opposition Member: Why don't you warn them?

Mr DEPUTY SPEAKER: Order! I will warn the honourable member, too, if he does not listen whilst I am on my feet. I have just referred to members on the other side of the House. I ask the honourable member for Cairns to continue with his speech.

Mr De LACY: I thought that the interjection of the member for Mt Isa was very constructive.

The people of Yarrabah were honoured by a couple of visits from the Minister, and I have just outlined the impression that he created. The people of Yarrabah do not really want much. I have spoken with them many times. They have said to me, "We don't really want too much—just a chance to manage our own affairs." When I visit Yarrabah I am confronted with the absurd situation in which there are two administrations—the DAIA, which has the real power, spends most of the money and makes the decisions on road-building, schools and other matters, and the community council, which has been elected by the people but cannot make decisions. One group does not know what the other group is doing. The two groups do not communicate very well and there is no friendship between them. It is difficult to believe that, in this day and age, such a situation exists.

The people in the Yarrabah community were hoping that the services legislation would address itself to their problems and create one administration so that the people who live in the community can make the decisions that affect them. When the leaders from Yarrabah spoke with the Minister, they asked him a few simple questions. They wanted to see the deeds of grant. They wanted to know whether they would have control over their own destiny. They wanted to know whether they would be making the decisions or whether the DAIA manager would be making them.

The leaders worked out five issues of concern. They gave me a copy of them and sent one to the Minister. They told me that they were worried about the deed of grant in trust legislation and the services legislation. I will go through them very briefly, because it is important that I mention them on behalf of the people of the Yarrabah community.

The first thing they wanted was the requirement——

Mr Jennings: What was the date?

Mr De LACY: 26 January 1984; so the Minister has had enough time to consider them. However, he has not answered them and the legislation has done nothing to ease the worries that these people have.

They are concerned about the requirement that the Minister can approve all leases for occupancy of land. They believe that the trustee should have unrestricted rights to lease to or permit occupation by Aboriginal people. Under this legislation, they are no better off; in fact, they are worse off. The councils are now responsible to two different Ministers. As trustees of the deeds of grant, they are responsible to the Minister for Lands; for the normal workings of the councils, they are responsible to the Minister in charge of the new Department of Community Services.

The next concern is about exclusions from the areas of land presently reserved when the deeds are granted. The Aboriginal people hoped that this legislation would provide for exclusions and excisions, but there is nothing in the legislation that addresses itself to that. The people in the communities do not know whether there will be exclusions or excisions, how much will be excluded or excised or where it will be taken from.

Thirdly, the people at Yarrabah have reservations about grants for public purposes. This legislation gives no indication of what areas or which schools or buildings, roads or airports will be reserved for public purposes. The people are no closer to having their fears allayed.

Fourthly, they are concerned that the Government should not have the power to remove trustees. This legislation explicitly gives that power to the Governor in Council.

Lastly, the Yarrabah people are concerned that the council cannot be satisfied about the quality of the title to be received until they are aware of their rights to participate in and control mining, fishing and forestry. The legislation does not give them timber or quarry rights even to the limited extent enjoyed by people in the local government areas of Aurukun and Mornington Island. This recommendation is contrary to a recommendation by the Aboriginal working party.

The legislation also abolishes the right of Aboriginal and Island communities to share in the profits of mining conducted on their land. That provision was embodied in the previous Act. The Aboriginal and Island people are worse off under the new legislation. It is obvious that the Minister has not even considered that. Although

he said in his speech on the Land Act (Aboriginal and Islander Land Grants) Amendment Bill that the Government would deal with mineral rights in the services legislation, no mention is made of them in this Bill.

In conclusion, I must say that the people of Yarrabah are totally disillusioned. They have been done again; they have been conned. The Minister asked them to trust him and they gave him their trust. However, I suspect that, after tonight, they will never trust him again.

In one way, the only heartening aspect of the legislation from an Aboriginal point of view is that it is so bad that the Commonwealth will be forced to introduce legislation to override it. I have always believed that the States should have the right to determine their own affairs, and I do not encourage or welcome Commonwealth intrusion. However, this Bill is so bad that I predict that the Commonwealth will be forced to come in and introduce legislation that overrides this puerile attempt to do something for the Aboriginal people.

The Bill is nothing more than a confidence trick. I suspect that within 12 months the Commonwealth will be involved. I hate to say it, but that is the only thing that will give Aboriginal people what they are looking for.

Debate, on motion of Mr Wharton, adjourned.

COMMUNITY SERVICES (ABORIGINES) BILL

Hon. R. C. KATTER (Flinders—Minister for Northern Development and Aboriginal and Island Affairs), by leave, without notice: I move—

“That leave be given to bring in a Bill to provide for support, administrative services and assistance for Aboriginal communities resident in Queensland and for management of lands for use by those communities and for related purposes.”

Motion agreed to.

First Reading

Bill presented and, on motion of Mr Katter, read a first time.

Second Reading

Hon. R. C. KATTER (Flinders—Minister for Northern Development and Aboriginal and Island Affairs) (10.33 p.m.): I move—

“That the Bill be now read a second time.”

Like the Community Services (Torres Strait) Bill introduced in this place earlier this week, this Bill is an instrument of tremendous change in Government relationships with Queensland's Aborigines and their communities throughout the State, from Cape York Peninsula to Cherbourg, a couple of hours' drive from Brisbane.

This Bill reflects the Government's desire to unfetter Aboriginal and Islander people in formulating decisions which affect the development of their communities and which shape their future position in Queensland society.

Both my predecessor and I have already brought into the House legislation that will guarantee the people of mainland communities and island communities a perpetual land tenure system under a deed of grant in trust for themselves and succeeding generations.

The two identifying features of freehold land are, firstly, its perpetuity and, secondly, its alienability. A deed of grant in trust guarantees perpetuity of title for the present occupants of these areas and for their descendants.

In my consultation with these people, their desire for a form of land tenure under which land could not be sold outside their immediate community was very real. That principle was passed unanimously at every meeting we held with Aboriginal and Islander people. I intend to introduce, at some later time, further legislation relating specifically to land in these areas, including the enabling mechanism for individual private ownership of residential town allotments and surrounding areas.

Opposition members have constantly demanded freehold. At every single meeting I attended, the concept of alienability was unequivocally rejected. That shows how much Opposition members know about Aboriginal affairs.

The Community Services (Aborigines) Bill combines with the deed of grant in trust arrangements to involve Aboriginal people with the administration and executive responsibility for area management, financial planning and the civic and civil conduct of their communities.

I am very pleased that a number of Aboriginal and Torres Strait Islander leaders have been able to travel the great distance from their homes to be present in the House. Their lives and those of their forbears have been influenced over many generations by varying Government policies, each searching for an answer to the needs and ambitions of their people.

The Government of the State of Queensland moved before any other State in Australia to pass legislation to protect Queensland's first settlers—the State's many Aboriginal tribes. The Aborigines were, I might add, a far more diverse group than the relatively homogeneous European settlers who followed.

From this simple protection approach came, in this century, a different concept. There was a new acceptance of a sense of responsibility to integrate these people into a European life-style. Education, hygienic life-styles and provision of basic services all required a very high degree of control.

Administrators, either church or State, supplied money, jobs and food, and people were forced to move to new areas for administrative reasons. Unfortunately, in many cases, this move was against their will.

Wages earned on stations were paid to the administrators and handed out for specific reasons. Probably many of these measures, which were the hallmarks of the ALP administration in this State throughout its 50 years in office, were arguably a necessity if the people of this State were ever going to catch up to the living standards of the rest of the Australian community.

Mr Wilson interjected.

Mr KATTER: On one occasion the honourable member for Townsville South made a very eloquent speech and told us how he saw a group of Aboriginal people in Hughenden sitting in the grounds of the court house for seven hours in the hot sun waiting for the policeman to come out and distribute the wages that they had earned. There was one problem with the brilliant analogy that the honourable member drew; that happened under a Labor administration. That is the sort of treatment that the Aboriginal people of this State received from the ALP administration. It is incredible that today the Opposition has said what marvellous work it would do for the Aboriginal people. It would do the same work that it did with the White Australia Policy that it introduced.

With the change in Government in 1957, legislation rapidly changed, and kept changing. The policy of assimilation was achieved with remarkable success, so that now, in Queensland, 70 per cent of people of Aboriginal descent live no differently from anyone else in the Queensland community. That was an excellent achievement for those people. In two generations they leapt from the Stone Age into modern European society.

Within 25 years this Government had completely eliminated the fringe-dwellers and the shanty towns of galvanised iron lean-tos which every one of us small-town bush boys knew so well as an integral, albeit not integrated, part of Queensland's country towns. In the reserve areas of Queensland, education and job placement, if not the provision of jobs themselves, enabled many who wished to leave the reserves with all of the living skills that they needed to achieve this end. Eric Law, the special consultant to the Government with this legislation, is a career teacher with TAFE, and is an ex-Cherbourg boy himself. He is an excellent example of achievement from a standing start.

In 1971, the Parliament approved further changes under a policy mantle of integration and assimilation. The reserve areas at this stage were being administered by Department of Aboriginal and Islanders Advancement staff, with all local government services and decision-making powers being exercised by the department.

For the benefit of all those persons who are listening in this Chamber, I point out that this legislation changes that situation. When the Bill is passed, those decisions will not be made by the DAIA or the Community Services Department; they will be made by the people themselves. It is a pity that some Opposition members did not read the Bill.

We are now about to open another chapter in what may well be the final stage in the progressive development of the Torres Strait Islanders and Aborigines of this State. For the sake of our political opponents, let me stress that this is the quintessence of this legislation: Local government decision-making powers will, with this legislation, shift to the local democratically elected community council.

That is the substance of what we are doing tonight. The Government has been requested again and again by the Opposition to leave it until August. The Government considers that the people want the legislation now. At every single meeting the people have been asked about the legislation, and they have said that they want it now. That is what we are doing this evening.

Mr Scott interjected.

Mr KATTER: The member for Cook is admitting that it is a good thing. I ask the people in the gallery to record that the member for Cook is now admitting that it is good legislation.

Mr DEPUTY SPEAKER (Mr Row): Order! I suggest to all honourable members that the opportunity for discussion on the Bill is usually at the second-reading stage. It might be of advantage to everyone if the Minister is allowed to make his speech without interruption. I am sure that honourable members will gain a better concept of what is in the Bill if that procedure is followed.

Mr KATTER: I can thank heaven that this evening I will not have the racist taunts that I usually receive from the other side of the House. There will not be any of those tonight, and I ask the people in the gallery to note that, too.

The responsibilities of which this Government will divest itself and place into local hands are not to be taken lightly. They will impose on Aboriginal and Islander people, through their elected leaders, firm and accountable demands for sound and orderly municipal government and positive policy development for the men, women and children of Queensland who live in these isolated parts of the Queensland community.

For a period, the Queensland Government, through its Department of Community Services, will offer aid and support to assist the local councils. However, let me emphasise that this Bill is serving notice that the decisions affecting Aborigines and Islanders in this State must now be made by Aborigines and Islanders, and these decisions must reflect a balance of community interests. Most certainly, I have every faith that they will.

We will dispense with the Department of Aboriginal and Islanders Advancement and create a Department of Community Services equipped ideologically and resourcefully to help Aborigines and Islanders move into this process of self-development and self-management.

These two Bills, which must be operational by 31 March this year—and I make the point that Opposition members tonight have constantly asked us to postpone the legislation and prolong the Act that these people are supposed to hate so much—provide for all community councils, both Aboriginal and Islander, to be corporate bodies whose members will be elected in conjunction with other local authority elections in Queensland. Voting qualifications will be the same as those set out in the local government voting regulations. I assure Opposition members that that will be so.

The compilation of electoral rolls will become necessary to facilitate the elections, and wide powers, authorities and responsibilities will fall upon these councils. The electoral rolls are to be drawn up by the State Electoral Office, or under its jurisdiction. I again make that point forcefully to the House. I am surprised that members of the Opposition did not read it in the first Bill.

As will be clear from the obligation imposed on each community council, we have deliberately set them in the direction of conventional local government administration, and sound financial management policies will be required of them. We most certainly give

a clear and unequivocal undertaking that all electoral rolls and the conduct of all elections will be exactly the same as for any other local authority area in the State. I give that assurance now.

Mr Hamill: Why didn't you give them the full powers of local authorities?

Mr KATTER: I will deal with that in my reply later in the evening. I will most certainly answer it.

Opposition Members interjected.

Mr DEPUTY SPEAKER (Mr Row): Once more I make the point that the debate would benefit from the Minister's making his second-reading speech in reasonable silence. Comments may be made later. If there are continual interjections at this stage, I will name someone.

Mr Burns: He's provoking people. He's looking for it and then ducking away from it.

Mr KATTER: Far from ducking away from it—many of the provisions in the Bill, if the Opposition was to read them closely, give to the councils great advantages that do not apply to other councils in Queensland.

The Bill makes it quite clear that the councils can employ their own agents and servants, that they can levy rates and charges, that they can borrow money according to certain sections in the Local Government Act and that they can invest surplus funds, in common with any other council in the State of Queensland. All transactions of community councils will be audited by the Auditor-General and, for a specified period, the Department of Community Services will be able to ensure the continuity of adequate accounting standards and reporting.

In the case of the Aboriginal communities—administrative, or executive, powers will remain with the department for a change-over period of up to three years—and I stress the words "up to". We would hope that many councils would exercise those powers well before that time. Two councils have already sought agreement from us for an extension of the period beyond three years. We have agreed, and feel that the Department of Community Services should be prepared to assist for a longer period if requested by a council. I stress that we are not happy to do that, but will do it upon request. As a Government we are reluctant to continue in this role. Aboriginal and Islander people must shoulder the burden of responsibility themselves. If the department were to continue in a decision-making role, it would contribute to a psychological paternalism which creates an attitude of, "We don't have to worry or work. The Government will do it for us." The Government says very firmly in this legislation that that will not continue.

Because of the problems of isolation and special Government funding, which normally requires an administrator, such as at Cooktown and Thursday Island, this legislation differs from local government legislation. There are further differences which make this legislation highly suitable for the isolated communities for which it is being drawn up. Many advantages accrue.

The Government's opponents have said this evening that there are no changes in this legislation. To say that the Department of Community Services will be running these areas is just as silly as saying the Department of Local Government makes all the local decisions in Dalby, Charters Towers or Brisbane.

Mr Scott: What does the DAIA do now?

Mr KATTER: What I am saying is that the Government is introducing a change. It will be the same local government role that exists anywhere else. If somebody said that the Queensland Government was running Brisbane, I would regard that as a great slur on the Government.

It is certainly the Government's intention to start moving immediately towards the handing over of Executive Council powers to the local councils themselves. However, where very large sums of money are involved, and dislocations and wastage of a very serious nature could occur, this transition period will provide ample time for the training advice and general preparation of people to handle what will be, in many cases, very onerous and demanding responsibilities.

Each council will be able to appoint Island police officers to supervise its by-laws and internal community order. The community police will operate essential emergency services, including fire control and ambulance transport. I was surprised at the laughter earlier on. That is what is done now in many communities in the United States. Community police will receive extensive training to assist them with their new duties and responsibilities.

The Bill preserves the right of any Aboriginal or Islander person to appeal as far as the High Court of Australia on a matter originating in the local court. In addition, I will make approaches to the Minister for Justice to have Aboriginal and Island Courts operate as Small Claims Tribunals, in accordance with the wishes expressed today by the Torres Strait councils.

Under the Acts to be repealed, small advisory councils functioned to keep the Minister and Government in close touch with police, welfare needs and various other things in the Torres Strait and Aboriginal communities. At the request of the council leaders, these Bills dispense with the advisory councils and create instead a co-ordinating council on which will serve the elected chairmen of Islander and Aboriginal communities respectively. The co-ordinating councils will be corporate bodies, which the advisory councils were not. They will provide members to serve on the Island Industries Board and the Aboriginal Industries Board. They may undertake public works or acquire public property.

Mr Scott: Will they have officers and other staff?

Mr KATTER: No. The purpose of setting them up is to handle very large earth-moving equipment, which cannot be handled by the individual smaller councils.

The Island Industries Board continues in operation, and this Bill also establishes an Aboriginal Industries Board. While ensuring that consumer goods in sufficient quantities are available for retailing on each of the reserve communities, the Bill imposes on the Aboriginal Industries Board an aim of transferring the management and control of retail stores, or other business enterprises through which the goods are sold, into the hands of local residents through their community council.

The Department of Community Services will be able to provide assistance, including financial aid, to communities in deed of grant areas and, after the phase-out of its directive role, will have the capacity to assist individual councils only upon request.

The Bill carries a message of change and progress. The Aboriginal people that it will affect have already expressed their enthusiasm for the challenges that it places before them. I must stress that in many cases the councils are deeply worried about the responsibilities that will be placed upon their shoulders.

A number of councils and individuals have already made requests to take over the ownership and running of local stores and enterprises. The Government views that as a laudable approach. The department will assess its business operations in the community areas and will be handing these over to the Aboriginal Industries Board where and when it is practicable to do so. I must stress that in some cases individual families have applied for businesses and it would probably be highly desirable to consider their approaches as well.

I am proud to say that the Bill creates the environment for independent thought and achievement throughout the Aboriginal communities. It creates individual local authorities and vests each with the apparatus of municipal government, modified to suit the special needs of isolation. It preserves and expands a purposeful local policy co-ordinating group with positive guide-lines and a built-in executive role in its own right. It substantially increases the scope for privately owned business enterprises throughout the communities, and creates an atmosphere of encouragement for such enterprise.

The Bill must be read in conjunction with the legislation dealing with deeds of grant in trust. The other major benefit of the Bill is that it facilitates the statement and declaration of the deed of grant areas, which will hand over ownership and control of all of the lands in reserve areas to the councils themselves, which will own and control them now and for ever more. But as far as the Government is concerned, the task is not yet accomplished. It is committed to further amendments to the deed of grant in trust to enable every house-holder on Aboriginal communities, or in the Torres

Strait, if it is his desire, to hold title to his house and yard. Of course that decision will be up to individual councils. The Government will simply pass the laws to facilitate the decision-making process.

The Government is committed to a policy of continuing consultation. During the recess, full consideration will be given to proposals stemming from this legislation.

I must make it perfectly clear to everyone in the House that we see it as highly desirable to introduce this new Act rather than continue with the existing Act. If the new Act has some peripheral flaws, we will attend to them in the recess and introduce further legislation in August. I give to all the Aboriginal and Islander leaders present in the gallery a clear and unequivocal undertaking to that effect.

We will continue to talk to them, and if there are things they do not like we will certainly look at changing them in the August session. But I submit that it is highly preferable that we introduce a new Act rather than continue with the existing Act, which has received, be it fair or unfair, enormous criticism from members of the Opposition and many other people in the community. When this legislative procedure is complete, including the land measures already mentioned, most of this Government's responsibilities in these areas will be placed directly into the hands of their residents.

Once again, I indicate that I am pleased that representatives of the Aboriginal and Torres Strait Island communities are able to witness these proceedings. I thank so many of them for their help, assistance and advice and, in fact, for the very clauses of the Bill.

I commend the Bill to the House.

Mr DAVIS: Mr Deputy Speaker, I draw your attention to the 24-page speech and the 82-clause Bill being presented at this time of the day, and, with that in mind, I move—

“That the debate be now adjourned for a period of not less than seven days to allow the people of Queensland time to consider the Bill.”

Mr Scott interjected.

Mr DEPUTY SPEAKER (Mr Row): Order! I warn the honourable member for Cook under Standing Order No. 123A. He has been annoying me all night.

I advise the honourable member for Brisbane Central, who moved the adjournment of the debate in the manner that he did, that on 11 April the House agreed that so much of Standing Orders be suspended as would otherwise prevent the passing of the remaining stages of certain Bills read a first time on 10, 11 and 12 April 1984 during this week's sitting. I therefore advise the honourable member that his motion is contrary to the resolution of the House.

Mr DAVIS: I rise to a point of order. When the arrangement was made, the Bill was supposed to be introduced at 4 o'clock this afternoon. In another hour's time it will be the 13th.

Mr DEPUTY SPEAKER: Order! It is still within the day specified in the motion for suspension of Standing Orders, and that is 12 April. The question is—

“That the debate be now adjourned.”

Question put; and the House divided—

Ayes, 45

Ahern
Alison
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby
Harper
Harvey

Henderson
Hinze
Innes
Jennings
Katter
Knox
Lane
Lee
Lester
Lickiss
Lingard
Littleproud
McKechie
McPhie
Menzel
Miller

Muntz
Newton
Powell
Randell
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton
White

Tellers:

Kaus
Neal

	Noes, 29	
Campbell	Mackenroth	Warburton
Casey	McElligott	Warner, A. M.
D'Arcy	McLean	Wilson
Davis	Milliner	Wright
De Lacy	Prest	Yewdale
Eaton	Price	
Fouras	Scott	
Gibbs, R. J.	Shaw	
Goss	Underwood	<i>Tellers:</i>
Hamill	Vaughan	Burns
Kruger	Veivers	Comben

Resolved in the affirmative.

Hon. R. C. KATTER (Flinders—Minister for Northern Development and Aboriginal and Island Affairs): I move—

“That the resumption of the debate be made an order of the day for a later hour of the sitting.”

Motion agreed to.

COMMUNITY SERVICES (TORRES STRAIT) BILL

Second Reading—Resumption of Debate

Debate resumed (see p. 2891) on Mr Katter's motion—

“That the Bill be now read a second time.”

Mr LINGARD (Fassifern) (11.1 p.m.): I found the one and a half hours of abuse by the member for Cook disgusting. Even members of his own party must be embarrassed, because although we have often seen this type of behaviour from him, for the first time all the leaders of the Torres Strait Islanders and the Aboriginal communities are in the public gallery and tonight they have seen his disgraceful exhibition.

Honourable Members interjected.

Mr DEPUTY SPEAKER (Mr Row): Order! There is far too much noise in the Chamber. I cannot hear the member speaking. The House will come to order. I will warn under Standing Order 123A any member who makes excessive noise in the Chamber. The member for Fassifern will continue with his speech.

Mr R. J. Gibbs interjected.

Mr DEPUTY SPEAKER: Order! I warn the member for Wolston under Standing Order 123A for defying my ruling.

Mr LINGARD: Having lived in the islands I know what people like George Mye, Getano Lui, Cam Tamwoy and my brother Father Jawai will be thinking. They are entitled to their own political opinions, and if they voted for the member for Cook at the last election, that is their prerogative. However, no Islander likes personal abuse, and no Islander likes hysterical screaming. It must be hard for them to see that sort of abuse coming from the person whom they have elected to represent them.

I am sure that they are also amazed at the personal abuse directed at members of the Government, even though people like me are extremely dedicated, as I demonstrated in my years in the islands long before I thought of entering politics.

It is very important that all people in Queensland be made aware of what the Government is doing with this legislation. The public must be convinced that the Government is not giving away land that is legally owned by the white man. I know of no such land that the Government intends to give away. The Government is not giving away land because of religious claims. The Government is not giving away land because of tribal claims, as has happened with Ayers Rock.

The people of Queensland must realise that land has been reserved for Islander communities. When Queensland was first settled, the Aboriginal and Islander people were allowed to go to reserves and communities. That practice was accepted by the people of Queensland. The Aboriginal and Islander people have never had to pay anything and, if they had paid for their land, it would be freehold by now. It must be realised that these people are highly educated.

Honourable Members interjected.

Mr DEPUTY SPEAKER: Order! There is far too much audible conversation on the Government side of the Chamber, and on the Opposition side. The member for Fassifern will continue.

Mr LINGARD: These people are a very proud people and they have a magnificent culture. It took me a long time to realise that. Unfortunately, many Europeans do not realise it. One really has to live on the islands to understand what their culture is about. It is different from ours but it is a magnificent culture of a very proud people.

The Islanders are highly organised people. Anyone who has visited the islands will realise that. They live on very neat 26-perch blocks of land which, every day, they sweep clean of leaves. They have a bucket of water on the bottom step and a towel on the second step.

Mr Prest: Pull the other leg.

Mr LINGARD: The honourable member for Port Curtis does not know anything about the Aborigines and Islanders. He is only trying to make a mockery of this whole matter.

The Islander people believe in a "boss man" concept. They have leaders whom they obey. Some of those leaders were in the public gallery tonight.

The Islander people organise their own areas. They have most magnificent settlements on magnificent islands. I have no doubt that they will take on and respect self-government.

We must realise that we are giving exactly what the shire councils have. We are giving no more. We must convince the people of Queensland that that is what we are giving to the Aborigines and Islanders. They will be obtaining exactly the same sort of organisation as exists in the shire councils. It is nothing less; but it is certainly no more. The people on the islands and settlements do not want any more.

They can elect their own councils. They have the power to implement decisions. They have the power to raise funds. That is a fantastic achievement, because it will enable them to take pride in developing their own areas. They have the power to make a profit, a power that they did not have previously. And they have the power to run a tourist industry.

The Government is allowing those people opportunities that the shire councils have. The Education Department will step in where it is considered necessary that it should do so, as will the Health Department and the Police Department.

Some people are worried about the possibility of money being wasted by the councils. The Government, too, is worried about money being wasted by the councils, and the people themselves have expressed that worry. But do not forget that in some local shires we worry about State and Federal grants.

It must be remembered that at this stage no extra finance is envisaged. These people will have a shire-clerk type administrator, who will be phased out as soon as experienced clerical people are available. Anyone who travels to the settlements and the islands will find that people such as Maude Fraser, at Kowanyama, and Alison Wooley, at Aurukun, are adamant that that is what they want.

They do not want the administrators to be removed; they want the administrators to assist them. Obviously, we want the administrators to assist them, too. However, trained people will gradually be brought in.

Opposition members claim that the administrators are there to represent the DAIA. That is totally wrong. The administrators are experienced people, just as the shire clerks in the shires are experienced.

Before examining the Bill in detail, I repeat that the people of Queensland must be aware that we are talking about a highly educated and organised people who have a magnificent culture that is very different from our own. They are only receiving the land that has been accepted as being available for their sole use for a very long time.

From now on, these people will be masters of their own destiny. Some will succeed; others will fail. Opposition members will try to use those failures to discredit the Government. However, I believe that, until now, the Government has done an excellent job. Now it is up to the people themselves.

I refer in particular to two aspects of the Bill: private enterprise and justice. This legislation will place an obligation on the Island Industries Board and the DAIA to hand over community stores to Islanders. We must realise that all IIB stores are now managed by Islanders. However, the new legislation will give Aborigines and Islanders the right to manage and own these stores.

The board that will make the decisions comprises four Islanders and three other people. Opposition members might claim that those four people will not be notified of any meetings. What a ridiculous statement that would be. Let Opposition members try to tell George Mye that he will not organise his four people. He will organise a group of people much better than the ALP can organise a group. Anyone who attends a meeting of 40 people will find that George Mye has them organised very well indeed. Similarly, it would be ridiculous to suggest that Cam Tamwoy or Father Jawoy will not have their groups organised. They will probably have their four people organised before the Government has its group of three organised. The Islanders are magnificent at organising their own people. Every Aboriginal and Islander will have the right to start his own business.

Some private concerns have already been allowed. Pastoral activities are expected to be a major earner on mainland reserves. We must not forget that Bamaga was set up to be the agricultural area of the Strait. It is a magnificent pastoral area. Jackson is running Edward River in exactly the same way. He will make a fantastic profit for Edward River. We must back that sort of enterprise. I am sure that he will be very proud of it and that the Government will be very proud of it. Whilst I suppose we might find some failures at Lockhart River, we will support that enterprise. That is the whole concept. We will give them the chance. We will accept their failures, but we will continue to develop. Hopefully in a decade or 20 years' time there will be magnificent areas there.

It is expected that tourism will become a viable industry on many reserves. What a magnificent thing for the islands. Some members of the ALP would not realise that there are possibly 15 islands between Bamaga and Thursday Island. There are red deer, palomino studs, wild goats and magnificent waterfalls on Prince of Wales Island.

Mr Scott: It is all Crown land.

Mr LINGARD: The honourable member has not even lived there. He travels to the area with the Federal representative to give out some grants. The Opposition spokesman tells me that Bamaga is not a reserve. How laughable! The islands of the Torres Strait are not reserves—how laughable! He is a galah.

Tourists will be attracted to the Torres Strait islands for the scenery, fishing and reef exploration. Mainland reserves can offer tourists dancing exhibitions, artefacts, fishing and outback-style trips. Alison Woolley at Aurukun is very proud of her artefacts. I will tell the honourable member where Alison Woolley lives. She lives at Aurukun. Aurukun is in Cape York. The honourable member would not know Alison Woolley.

It must be remembered that Aborigines and Islanders already conduct successful business operations on several reserve areas. Some of these include the garage and a number of stores at Yarrabah. We realise the problems that have been experienced at Yarrabah. We must make sure that the decision on the garage and the stores is that those services are run by the council. That is what Mick and Roy want. We are prepared to give that to them.

The operation of beer canteens will also be put into the hands of Aboriginal and Islander councils. We know that there will be difficulties.

European schoolteachers will go into areas where maybe the people have said there will be no beer canteen. The result may be pressure from the Education Department which will say, "If you do not allow that, we will not allow our teachers to go into that area." That is the problem that the people will have to accept. I have no doubt that they will go through some teething problems. I have no doubt that the member for Cook will stand up and say, "Look at the shemozzle." However, he will not congratulate the Government on trying to make sure that those people have self-government.

What about justice? A local court system will operate with the following organisation. Cases will be heard by two justices of the peace. We realise that there are not too many justices of the peace in that area. If those persons are not available, cases will be heard by a majority of council members. Decisions made in those courts will be the same as if

they were made in a Magistrates Court. Fancy the honourable member saying that it is not on! The Aboriginal and Islander people are here tonight and they are listening to the member for Cook saying that it is not on.

The member for Cook says that they cannot run their own councils and that they cannot make their own decisions. What a galah he is! They have been making those decisions for many years, and the honourable member knows that they can make those decisions. Fancy telling Georgie Mye and Napoleon Warri. I can imagine when Napoleon Warri gets this up on York Island he will say, "Is that what the member for Cook said?" I can just imagine Joey Mosby next time the honourable member goes to York Island and tells Joey Mosby that he cannot run York Island. York Island is a magnificent concept. It is much better than the honourable member's back yard. I will bet the honourable member any money he likes that the back yards at York Island are much neater than his back yard, because I know that they sweep them every day with their little brooms.

Opposition Members interjected.

Mr LINGARD: The Opposition can make a mockery of the Aboriginal and Islander people. Fancy two academic twits on the Opposition benches making a mockery of our Aboriginal and Islander people.

Community police will be given more training to help them cope with their full range of job activities. It is obvious that the Minister has done a magnificent job in having the legislation ready for implementation by the 31 May deadline. He has travelled extensively and worked long hours.

I listened with disgust when on 4 April in this House the member for Cook said—

"The Minister has travelled the State telling the Aboriginal and Islander people that everything will be all right; but neither he nor any worthwhile group of people has entered into consultations ..."

I hope that Georgie is sitting up there somewhere, hearing that comment from the member for Cook—"neither he nor any other worthwhile group of people" Georgie had 45 people beautifully organised on Thursday Island. They did all the talking. They spoke to us, and every member knew when he had to speak. The member for Cook does not know what happened, because he said "nor any worthwhile group of people".

Earlier I offered to bet the member for Cook that I could name more members of the advisory council than he could. I still make that claim. He said that we do not know what an advisory council is. I guarantee, on the wager of whatever money he wishes to nominate, that I can name more members of the advisory council than he can—and it is seven or eight years since I was there. He is the member for Cook. He tells us that we do not know anything about advisory councils. What a galah! Not only is the member a liar; he is also a fool. Fancy telling the leaders of the Torres Strait Islands that they are not worthwhile! I personally was there when there was extensive consultation.

Mr DEPUTY SPEAKER (Mr Row): Order! In the interests of consistency in this Chamber, I must ask that the language be moderated a little. The word "fool" is verging on being unparliamentary. I ask the honourable member to withdraw it.

Mr LINGARD: Yes, I withdraw it.

Opposition Members: What about "liar"?

Mr DEPUTY SPEAKER: Order! If the word "liar" was used, I ask that that be withdrawn, too.

Mr LINGARD: I withdraw both those words. I should not have to tell the House that.

Opposition Members interjected.

Mr DEPUTY SPEAKER: Order! I do not want any post mortems on my decision. The member will continue his speech, and the Chamber will be silent.

Mr Kruger interjected.

Mr DEPUTY SPEAKER: Order! I warn the member for Murrumba under Standing Order 123A.

Mr LINGARD: I was in the Torres Strait when extensive consultations were held. Many other extensive consultations were held. All of those consultations were taped. The Islanders made personally signed statements and moved motions.

I say that the member for Cook is a fool—I am sorry, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Order! The honourable member will withdraw the word “fool”.

Mr LINGARD: Yes. I am sorry, Mr Deputy Speaker. I have it written here quite a few times. I withdraw the word. Fancy him telling George Mye that he is not worth while! However, I had better move off that. I have a few other comments to make about the member for Cook.

I congratulate the Minister on his excellent work. Honourable members have all known that there was room for improvement. I quote Mr Peter Bailey, Deputy Chairman of the Human Rights Commission—

“Although much conscientious effort is devoted in Queensland to assist the Aboriginal (and Islander) people, structural changes are required, and much greater attentiveness to and active implementation of the wishes of the people themselves—”

is needed. The Bill goes a long way towards giving the Islander people the right to govern that they have wanted for so long. As well, it provides them with land and the ability to conduct private enterprise. I support the Bill, and I know that all the Islanders and Aborigines here tonight do also.

Mr HAMILL (Ipswich) (11.18 p.m.): I rise in this debate even more disappointed than I was when I read the Bill after its introduction into the House yesterday. I am disappointed with the contributions of the members opposite, and in particular with that of the member for Fassifern, who, lacking any constructive detailed consideration of the Bill, spent his time making unparliamentary comments about members of the Opposition. However, I will not stoop to his level. I wish to speak about measures in the Bill that I believe will be a great disappointment to the people to whom they have been directed. We have heard in this debate a farrago of half-truths and double-talk—a total cover up by the Government on a piece of legislation that is very important.

Mr DEPUTY SPEAKER: Order! There is far too much movement and noise in the Chamber. I ask honourable members to be seated or leave the Chamber.

Mr HAMILL: All this double-talk is to cover up a piece of legislation that is deficient in so many ways. As the honourable member for Cook has pointed out, the legislation offends the basic and fundamental human rights that every Australian should enjoy.

Mr Elliott: Where? Be specific.

Mr HAMILL: I will tell the honourable member about it specifically. He should wait his turn and listen. I will tell him before I am finished.

In the ranks of the Opposition, there is profound disappointment at the provisions contained in the Bill. However, I am not surprised. From the comments made by members of the Government, I have come to the conclusion that they make the Ku-Klux-Klan look like a charitable organisation. Members of the Government have no regard for the human dignity of the people of the Islander and Aboriginal communities.

The Minister claimed that he had consultation. The Opposition heard about that consultation, which certainly was about various details that the communities might like to see in legislation; but when it came to the final drafts, the people of the communities were not allowed to see them. No, the consultations that seemed to hold most sway were the consultations that the Minister had with the DAIA. In fact, the evidence of the loudest voice can be seen in the legislation, because in so many respects the Bill is no different from the Act that it repeals.

The Minister's second-reading speech showed the scant regard that the Government has for the basic human rights and human dignity of the people of the island communities. The Minister had the audacity to mention all the hard work that his committee had put into those 40 hours in translating the wishes of the communities. If that is the case, I am not surprised that the legislation is as bad as it is. I am also not surprised that the

Minister is very embarrassed about the legislation, and about its having to be brought before the House without giving honourable members adequate time to study it in detail and to consult with the communities that the legislation purports to assist.

The passage of the legislation has been a disgraceful abuse of the Standing Orders of this House. The Minister has treated the House as a sausage machine; in fact, he showed even less consideration to the Opposition and the people in the community when he introduced another piece of legislation tonight. That is a total disgrace and the Minister should be forever more shamed by the disregard he has shown for members of this Assembly.

The same old discriminatory, paternalistic, racist legislation that was in the Aborigines Act and the Torres Strait Islanders Act has been regurgitated. Of course, it has been given new clothes; the names have been changed. The director is now the under secretary, and the department is no longer the DAIA but the Department of Community Services. The only thing that the new department seeks to serve is the interests of the officials of the old DAIA. The department will not even try to consider the basic needs and the fundamental human rights of the people in communities. The Minister might as well have simply reproclaimed the old legislation as brought this sort of nonsense before the House. Basically, the provisions in the new legislation are, in every respect, no different from those contained in the legislation passed by the House in 1971.

I suggest to the Minister that he apply himself a little more to the television. He might learn a few tricks if he watched "Yes Minister", because I can see that the director of the DAIA, who will be the new under secretary of the Department of Community Services, may very well be described as a veritable poor man's Sir Humphrey Appleby. He has his Minister right where he wants him. As I said, the views of the director of the DAIA, the new under secretary of the Department of Community Services, were heard most when this legislation was considered.

I understand and appreciate the position in which the Minister has been placed. Many people in the Queensland community had high hopes for the member for Flinders when he took on his new role as Minister for Aboriginal and Island Affairs. I believe that the Minister has a basic commitment to the people whom this legislation tries to assist. However, I thought it was very significant that yesterday the Minister offered his thanks for the great assistance that the Premier had given him in drawing up the legislation, because not only does the legislation have the trade mark of Mr Killoran; it also has the trade mark of Mr Bjelke-Petersen.

I will now consider the Minister's attitude to the legislation. When the Minister assumed his high office, he described the existing legislation in relation to Aborigines and Islanders as exhibiting a paternalistic mentality. They were his words, not mine. I urge the Minister to read his legislation and he will see that paternalistic mentality all the way through it. There has been no change.

In fact, what it seeks to do is to preserve the direct and the indirect control that the DAIA has over the lives of those people in the islands and on the Aboriginal reserves. But, of course, "DAIA" is a bit of a bogey term. Doesn't the Department of Community Services sound much better? It sounds like the Government is doing something for the people. But the truth is that it is doing nothing more than was done under the old legislation.

The term "under secretary" appears so often in this legislation. It is always the Minister and the under secretary. It is like me and my shadow, and the shadow seems to have inordinate control over the lives of the people in the islands. In fact, in the new legislation one sees the terms "under secretary" and "his agents". They have the power to somehow intervene and interfere in the entire range of the day-to-day lives of those people.

Mr Littleproud: The same as all other Bills.

Mr HAMILL: It is typical of the sort of Bills that this Government passes. We had the example the other day of the terrorist Bill, another that showed the lack of regard and respect for basic human rights that this Government consistently shows in this legislation.

This Bill is based on the Big Brother mentality. It is based on the sort of thinking that characterised politics in the late nineteenth century, and somehow or other this Government still seems to think that the Islander people and the Aborigines are the white man's burden. The Government does not recognise that these people are quite capable and totally able to look after their own lives. Surely that should be a basic right of people in this State. Yet these basic rights are being denied the Aborigines and Torres Strait Islanders. In fact, on another occasion the Minister said that Aborigines are not incapable of handling their own affairs. Quite! I agree wholeheartedly with him. Why then does he work to bring down this sort of legislation, which is underpinned with the belief that this Government should seek to intervene to control the lives of the people of the Torres Strait islands? It contains the sort of restrictions on their civil liberties that even Government members, with their scant regard for civil liberties, would not tolerate as ordinary members of the community.

The Aborigines and Torres Strait Islanders are very capable of looking after their own affairs, and we would seek to ensure that that policy of looking after their own affairs was not derogated by legislation such as this which gives inordinate power to the under secretary and the agents of the new Department of Community Services. As I said, the Bill contains provisions which would be quite unacceptable to anyone who had a modicum of concern for basic human rights and civil liberties.

Mr Lee: Why?

Mr HAMILL: I was just about to tell the honourable member for Yeronga. I am sure that even he could understand these points, but I will keep it simple. Provisions allow entry, inspection and investigations of such breadth that they could constitute a gross invasion of civil liberties. Provisions that we will be debating at the Committee stage give to specified persons an untrammelled right of entry which could extend to violating the privacy of individual Islander's homes. It is a most disgraceful provision, and should be struck from the Bill. An Islander has no power to refuse the entry of those persons described in the Bill.

Mr Katter interjected.

Mr HAMILL: I will talk to the Minister about it at the Committee stage. He has his right of reply to this debate. He should sit back and listen to a few points that he should take on board when he takes this Bill through its subsequent stages this evening.

One of the most outrageous provisions in this legislation relates to the franchise that these people will be given under the Bill.

Mr Elliott: What sort of franchise?

Mr HAMILL: The honourable member would not know. He has not read it.

Mr Elliott: I spent three months on it. What have you been doing?

Mr HAMILL: I am amazed. The honourable member has spent three months on the legislation, and all he has learnt could have been learnt in three seconds.

Mr Scott: He hasn't told one of the Aboriginal and Islander people anything. He stands indicted himself.

Mr HAMILL: That is right.

I ask the member for Cunningham to look at the legislation as it relates to voting in local authority elections. The Bill seeks to deny Islanders the right to vote in the local government system of Queensland. The Island Councils that are to be constituted under this Bill will not have the status of local authorities under the Local Government Act. Therefore, the votes of Islanders will be excluded from ordinary and regular local government elections in Queensland.

The Bill provides that guidance for the making up of rolls will be found in the Local Government Act. It goes on to provide for an exception where regulations are made. I commend to Government members the clause dealing with regulations. One of its powers affects directly the franchise of Islanders for the election of the Island Councils. The Minister will have the power to alter the rules of the franchise. In other words, he will be able to override the Local Government Act and introduce all sorts of regulations that would govern the franchise for the Island Councils.

As I have said, the Island Councils do not have the status of local authorities under the Local Government Act. It is patently obvious that the Government is not prepared to give the Island Councils the status of local authorities under the Local Government Act.

Mr Katter interjected.

Mr HAMILL: The Island Councils might be given the responsibility to provide certain services, but they are not being given the status of local authorities.

The Bill contains a fairly wide definition of "Islander". It includes descendants of Islanders as well as people who choose to reside in the communities. That is a very important provision because it impinges greatly on certain other provisions of the Bill.

There is reference to Island Courts, and later the Opposition will raise questions about the extent of the jurisdiction of those courts.

The Bill sets up two grades of humanity. Certain provisions apply to island residents. Other people who reside in the area are excluded from the Island Councils and the justice system that is set up under the Bill.

A provision in the Bill states that the jurisdiction of the Island Courts will not extend to those people who reside in the island communities by virtue only of their appointment. I ask a question of the Minister and he should consider it because it will be asked again later: What will be the situation of the agent of the under secretary? Under that provision, he will not be subject to the jurisdiction of the Island Court. What is the position of the white manager, as he is presently known?

Mr Elliott: He is not a manager.

Mr HAMILL: The honourable member can go back to sleep. I am talking about the present Act. What if the white manager happened to have his wife or de facto wife with him and that person was constantly in breach of the by-laws that the community regarded as being suitable to govern the day-to-day operations in that community? Does it mean that his spouse might be subject to the jurisdiction of the Island Court and that he is not?

In fact, what the Government has done is provide two laws in the community. It is discriminating against one group of human beings.

Mr Menzel interjected.

Mr HAMILL: I hear the tired old yawns. When the honourable member wakes up one of these days he will learn something.

The discrimination continues in the enormous power that is accorded the under secretary. His name appears with undue repetition throughout the Bill. It is an all-powerful shadow—almost a ministerial alter ego. Nowhere better can that be seen than in the enormous power that the under secretary will have in relation to deceased estates. That is another example of one set of rules being provided for the rest of the people in Queensland and another set being provided for the island communities.

The under secretary has the power to override the normal application of the testacy laws of the State in intestate estates. That is an enormous power and it should not rest with that position. Why should not the law of Queensland prevail in relation to deceased estates?

Mr Jennings: It does.

Mr HAMILL: It does not. The member for Southport should read the Bill.

The supply of alcohol is another sensitive area. Honourable members opposite know all about the sensitivity of that area. It is recognised that alcohol is a dangerous drug and can be more dangerous than some of the drugs that the Government legislates against. In white society there are stringent liquor laws, but this legislation creates a completely different system for the Aboriginal and Islander people. It is interesting to note, particularly with regard to the Minister's comments about local government, that one of the functions of local government in the Aboriginal and Islander communities relates to the availability of liquor. It is a good example of the way in which the limited local government extended to the communities differs from ordinary local government in the State of Queensland.

Apparently the availability of liquor is a quasi local government function in the Torres Strait island communities. I assume, from the remarks of the Minister in his second-reading speech, that the new legislation will also pertain to Aborigines.

The Government has endeavoured to make progress. But the Minister's initial ideas have been thwarted by powers outside his control. What is left is a half-hearted attempt at legislation. To use the Minister's words, it is an attempt to achieve something like local government. I suppose it is a little bit like local government but the legislation provides none of the basic rights and privileges of local government.

That can be seen in the accounting procedures for the community councils. The legislation attempts to offer some sort of local autonomy but that is coupled with the totalitarian controls embodied in the old Torres Strait Islanders Act and the Aborigines Act.

Mr McPhie: Stop talking rubbish!

Mr HAMILL: I am talking about Queensland.

If the Government is not prepared to offer the Aboriginal and Islander people the same basic human rights that we, as ordinary Queenslanders, expect for ourselves, its commitment to these people is a sham and a total cop-out. All of the fine words about communication and consultation are worth nothing. All the Minister has succeeded in doing is transfer the control of the lives of these people from the DAIA to a new department. The director will become the under secretary, and the managers will become the agents of the under secretary. The powers of the Department of the Community Services are listed under the regulatory powers provided in the Bill. Any by-laws that the community councils may pass are still subject to the control of the Minister. Differential treatment will apply to people in local council areas, and on and on it goes. It is a litany of discrimination, yet this legislation is supposed to be a step forward.

It is time that the Government took the DAIA or the new Department of Community Services off the back of the Torres Strait Islanders and the Aborigines and let them enjoy the basic rights of ordinary Queenslanders, including voting rights. The Government should permit self respect and an environment should be created in which responsibility and human decency are raised to a level equal to that enjoyed by other people in the community. These people deserve better than the sort of rubbishy legislation that the Minister has so hastily prepared in an endeavour to push it through the House in the last two days of the current session.

Mr COOPER (Roma) (11.40 p.m.): The honourable member for Cook, who led for the Opposition, barely addressed himself to this very important legislation. In the first 40 minutes he did not even touch on it. Instead, he chose to indulge in a screaming political tirade that served no useful purpose and was an insult to all people concerned.

This legislation will cut the ground completely from under the State branch of the Australian Labor Party, not to mention the Federal Government. That is why the State branch has lost control.

I commend the Minister for his second-reading speech.

I take this opportunity to welcome the Aboriginal and Islander leaders who are in the public gallery. It is with a mixture of pride and humility that, on their behalf, I support this legislation.

I am very pleased to be taking part in this debate and also for having played some small part in putting this legislation together in co-operation with my colleagues on this side of the House and with the officers and staff of the department.

The main thrust of the legislation is to gradually phase in self-management for the people in the community areas and also to encourage the residents to play a more equal and positive role in the mainstream of Queensland society.

It is not the intention of this legislation to set up separate enclaves or to create a State within a State concept.

The gradual phasing in of local-government-type operations has been specifically requested by the vast majority of people in the communities. I and other Government members have been there and have spoken with them freely and openly.

The colonisation and subsequent development of the Australian continent are history. The present population of Australia—which includes descendants of both Aborigines and Islanders, and those of the European settlers of the 1780s, together with more recent immigrants—consists of people who are citizens of the Australian nation of today and, as such, they should have equal status.

The matter of special privileges and/or assistance should apply to all people, regardless of race, colour or creed, who are genuinely disadvantaged.

The role of the Department of Aboriginal and Islanders Advancement, which will become the Department of Community Services, will be to cease to act in a directive capacity. Its major thrust will be directed towards advising communities on all matters concerning their ultimate progress.

The department will offer advice, practical experience and training on a wide range of subjects, including cattle management, tourism, commercial fishing, marine culture, administration and private enterprise. Financial assistance will continue to be provided.

It is estimated that in 1983-84, about \$61m will be provided. Approximately \$40m of that sum will be funds from the Queensland tax-payers. Auditing conditions will be sufficient to ensure proper accountability, similar to that which already applies to local authorities throughout Queensland.

Emphasis will be placed on teaching and training Aborigines and Islanders in practical work skills. This will include block-laying, home-building, welding, electrical work and clerical work. Once equipped with such skills, Aborigines and Islanders will be able to start their own businesses and to take their place in the economy of their communities. They will help develop their own communities.

The Island Industries Board and the Department of Aboriginal and Islanders Advancement stores will be turned over to Aboriginal and Islander management by way of a gradual program, depending on their ability and willingness to assume ownership.

People who apply to take over an IIB or a DAIA store will make application through either the IIB or the Aboriginal Industries Board, which will decide the terms and conditions affecting the transfer of the stores.

After a period of four years, Islander and Aboriginal Co-ordinating Councils will report back to the Minister on the effectiveness of the legislation. The co-ordinating bodies will advise Governments on the practical working of the policies and will make suggestions regarding possible needs or changes.

It must be remembered that Aborigines and Islanders already conduct successful business operations on several reserve areas, particularly at Yarrabah, near Cairns. Private enterprise will be encouraged. Legislation will place on the IIB and the DAIA an obligation to hand over community stores to Aborigines and Islanders, provided that certain conditions are met. Some of those conditions will be financial and management capabilities and a general demonstration of ability to either the co-ordinating council or the Aboriginal Industries Board.

All IIB stores are now managed by Islanders, and a number of departmental stores are also managed by Aborigines. The new legislation will give Aborigines and Islanders the right to manage and own those stores. Every Aborigine and Islander will have the right to start his own business.

Advice on the practical handling and administrative aspects of business will be provided by the new Department of Community Services. Pastoral activities are expected to be a major money-earner on mainland reserves. A board will be established to aid the establishment of pastoral enterprise, and it will provide practical and on-the-spot management and marketing advice. Every effort will be made to eradicate tuberculosis and brucellosis from reserve areas. At present, about 22 000 head of cattle are owned by the communities. It is expected that tourism will become a viable industry on many reserve areas.

Tourists will be attracted to the Torres Strait islands for their scenery, fishing and reef exploration. Communities such as Yarrabah, near Cairns, Edward River and Kowanyama on the Gulf, offer some of the most scenic and interesting spots in the State.

Mr Hartwig: Do you know that in Africa under black rule there are no land rights for their native people?

Mr COOPER: I thank the honourable member for that information.

It is anticipated that football competitions will be set up between the reserve areas, and interreserve rodeos will also be encouraged. It is expected that such activities will ultimately lead to more competition with Europeans, and anything that leads to that sort of positive interaction should be encouraged. For example, the Palm Island Rugby League team, the Barracudas, competes very successfully in the Townsville Rugby League competition, and a team from Woorabinda in my electorate does likewise in the Baralaba area.

Earlier this evening, and in this House on 4 April, the member for Cook stated—

“The Minister has a sycophantic group of back-benchers on his committee who go round with him trying to gain big political capital in their electorates for what they are doing for the Aboriginal people.”

What a sick and hypocritical statement! While the Minister, who travelled approximately 300 000 km and met with more than 3 000 residents including council chairmen and councillors, all since he became a Minister only five or six months ago, was seeking the opinions of all the communities, where was the member for Cook, who is not even in the Chamber at present? He was in Europe on a grand extended tour. That shows how much he cares!

The Minister, his officers, staff and committee have worked extraordinarily hard in a genuine attempt to bring forward this legislation, which is a stepping-stone to a mature, sane and sensible future for Aboriginal and Islander people.

I have in my electorate of Roma the Aboriginal community of Woorabinda, which I have visited no fewer than six times in only a few months, partly on electorate business but, in the main, to assess the feelings of their council and the people concerned. I am pleased to say that their chairman, Herb Tanner, is in the gallery tonight. The overwhelming desire was for self-management, but gradually and most certainly not for immediate withdrawal.

I have also visited and had consultations with the residents of Yarrabah, Edward River and Kowanyama. Their opinions were identical to the opinions of the residents of Woorabinda. In all places the opinions were given freely and openly, without fear or favour. The European staff employed in the communities are carrying out a vital role with dedication and distinction and are worthy of our consideration in this debate.

I commend the Minister on a thorough and total approach to this services legislation. It has been a tireless effort, and I commend him and his officers and staff on their initiatives.

The legislation will require goodwill and understanding. Hopefully, it will be the beginning of a historic era, and it must be given a chance to work. The legislation must not be subject to intentionally irresponsible and destructive actions designed to destroy its intent, whereby the very people it is designed to advance will be the losers. I support the Bill.

Ms WARNER (Kurilpa) (11.50 p.m.): It is with some sadness that I rise to speak to the Bill. I have spoken to some of the people in the gallery who have come to Brisbane at the Government's expense. They thank the Minister very much for the delightful meal that they had with him earlier. They also thank him very much for the very pleasant words and the reassuring noises that he made to them about their future and the future of their communities. However, they are distressed, disappointed and very upset. That is the feeling that will be spread throughout Aboriginal communities of Queensland tomorrow and the day after, as soon as the contents of the Bill are revealed to them.

One of the problems with the legislation is that the Government has totally missed the point about the long-standing demands for self-management. The Bill simply perpetuates paternalism and a denial of autonomy and basic human rights. That same denial was the feature of the legislation that the Bill supersedes. It is a perpetuation of the sorts of attitudes towards Aborigines that have been dominant in Australia since colonisation. Those attitudes are as totally unacceptable in 1984 as they were in 1788; but in 1984 we have the year of doublespeak, as Orwell predicted, the year of newspeak and the year of Big Brother of National Party paternalism.

In this legislation we have attitudes of paternalism, which, in case members have forgotten, is the treatment of Aborigines as children. In many instances, the denial of their common humanity has led white Australians to attempt to destroy a people and a culture. We have little time left to redress past mistakes and to allow a dispossessed people to live in equality and freedom in their own way. Certainly, this Bill makes no attempt to promote the principles of self-management and self-determination that are essential if Queensland is to avoid committing genocide.

The legislation hammers yet another nail in the coffin of the Aboriginal and Islander people in Queensland. I will be speaking about the Aboriginal people only because we have been told by the Minister that the provisions in both pieces of legislation are not dissimilar. Unfortunately, I have not had the luxury of being able to peruse the second Bill in any depth; so I will have to take his word for it on this occasion.

Queensland will become the coffin of the Aboriginal people. We now do with stealth, pious phrases, a charming smile and free lunches what we once did with arsenic and bullets. It must be remembered that this legislation has to be read in conjunction with the deed of grant in trust legislation, as the Minister himself has said. We know from the debate on the deed of grant in trust legislation that the deeds are subject to odious restrictions, as has been brought to the attention of the House on two occasions previously. Since that title is inadequate and this services legislation bears such a striking resemblance to the iniquitous Aborigines Act and Torres Strait Islanders Act, one can only conclude that the new trust areas and the areas referred to in the Bill are nothing more than new terms for reserves—

Mr Katter interjected.

Ms WARNER: I will not take interjections from the Minister. He consistently makes jokes of it. He laughs at any comments made in the House. Presumably, he is laughing behind his hand at the Aboriginal people, whom he claims to be trying to help. What a joke! What a farce! This legislation will go down in history as a complete farce.

Despite the Minister's assurances prior to the introduction of the Bill, nothing has changed. On closer inspection of the Bill—we have had exactly 24 hours to consider it—we note that the existing powers of the councils on the control of entry of non-residents, the powers of the Islander and Aboriginal police and the powers of the under secretary—formerly the director—are not to be curtailed but are actually to be expanded. That is not what the Minister was promising. It is a total denial of the trust that the Aboriginal people placed in him. He will not be able to enjoy that trust further. Earlier he gave the House assurances that he would rectify some of the peripheral problem areas of the deed of grant in trust legislation. How can we trust what he says? He does not come up with the goods. This legislation is certainly not the goods for Aboriginal and Islander people in Queensland.

The Government's argument about Aboriginal land rights constituting apartheid is a little bit odd, because the legislation creates a separate voting system for Islanders.

Mr Katter: I have never heard anything so ridiculous.

Ms WARNER: This has been said time and time again in the debate, and I again ask: If it is the same as local authorities, why are there restrictions on beer? Why does the under secretary have power? Why does this Bill have these odious, paternalistic provisions that are not present in the Local Government Act? Why are they there? The only possible reason for their being there is discrimination.

In the cold light of day and with some kind of logic and rationality, which honourable members probably will have over the next few months but which certainly is not present in this Chamber, the Opposition will be able to see exactly what the legislation means. On 24 hours' review of the legislation, all the Opposition can see is that nothing has changed. The paternalism, discrimination and racism remain. The Minister might object to being called a racist, but if he promotes this kind of legislation, that is all he is.

The separate provisions contained in the Bill are a denial of basic human rights. Is the Opposition to look forward to similar provisions that disfranchise Aborigines in State elections? Is not having separate voting arrangements apartheid? Is the Opposition to conclude that the Government thinks that self-management and the right to land constitute apartheid but a separation of voting rights does not? I submit that it is the other way

around—that the Queensland Government's pea-brained philosophy is quite consistent with the atrocity that is apartheid, and that the removal of voting rights is consistent with apartheid but self-management and self-determination are not.

The Bill inflicts servitude and dependence on Islander people and provides no solutions to the problems that have been outlined to the Government time and time again. The Government is deaf, blind and culpably ignorant. Legislation should pay attention to the provision of inalienable freehold title—how many times does the Opposition have to say that?—protection of sacred sites, veto provisions over mining on Aboriginal land, equivalent royalties and compensation for loss of land.

The Government claims it is allowing Aboriginal people to have economic independence. In the parlance of the Queensland Government, that means the right to get ahead in a free enterprise system—a smoke-screen phrase which means that the rich get richer and the poor get poorer. The legislation does not give Aboriginal people basic economic rights to the produce of the land. There are no mineral rights, quarry rights and no rights to forestry products. When I raised the matter of these rights in speaking to the legislation on deeds of grant in trust, I was told by the Minister, probably in the same charming tones that he used to the Aboriginal people with whom he dined tonight that all of that would be covered under the services legislation. Here is the services legislation. Where are the rights? The legislation is simply silent on those subjects.

I return to the problem of ministerial power. Aborigines are asking for the right to control their lives and their own destinies as free citizens. What the Bill provides is ministerial discretion, ministerial control and enormous powers to the under secretary, formerly the director. Aborigines are still subject to the goodwill of the Minister and, given his capacity to respond to the dictates of the Premier and the person who will undoubtedly become the under secretary, Mr Killoran, the Opposition cannot have faith in the Minister's goodwill. Aborigines should not be subjected to such indignities.

The Minister should not assume that he is the fount of all wisdom or that the under secretary is the fount of all wisdom on the well-being of Aboriginal and Islander people. They should be able to make their own decisions and their own mistakes, just as the Queensland Government makes its own decisions and, so frequently, its own mistakes which would not be made if the Government had a less stiff-necked and unbending attitude towards good legal advice, which on a number of occasions it has completely ignored.

[Friday, 13 April 1984]

Why in this Bill are there provisions for the under secretary to have the savings of residents deposited with him? This applies to no other group of people, and is really discriminatory. Why does he have the power to administer the estates of Islanders? Why are there such stringent provisions for monthly financial returns? Why does the Minister have to approve budgets? These provisions are all patronising and unnecessary, and conflict with the principles of self-management.

The Governor in Council has wide-ranging powers in the making of regulations. The sting in the tail of this Bill is the last clause which gives the Governor in Council the power to make those regulations which are often made so secretly and surreptitiously, just like this legislation and the historic buildings that are knocked down in the dead of night. So this Government has to pass this kind of legislation by stealth in the dead of night because it is ashamed.

Mr Scott: It is now Friday the 13th.

Ms WARNER: That is right; we have just turned into Friday the 13th.

The Minister has known of his responsibilities with this legislation since he assumed office, yet we have had 24 hours to review the Islander legislation, and less than two hours—probably even less than that—to look at the Aboriginal legislation.

The much promised consultation process has simply not occurred. I want to go through some of the consultations and the promises that were made because we are talking about how this Bill actually relates to the assurances that had been given. In October 1980 the Premier announced that the Aborigines Act and the Torres Strait Islanders Act would be repealed. On 18 March 1981 he told the Parliament—

“It will be done in the near future; during the year; perhaps not this session but next session. I can promise that. That will be for sure.”

On 1 April 1981 the Premier told the Aboriginal Advisory Council that—

“he hoped that it would be possible to introduce amending legislation later this year.”

He suggested that the council might form a small working group. He also stressed that, before any draft legislation went to Parliament, it would have to go back before the advisory council.

On 5 August 1981 the Premier told the council that “their views would be very carefully taken into account”.

On 16 September 1981 the Premier told Parliament, in answer to a question from Mr Scott, that he would not set up an all-party committee to consider the legislation, and that any decisions “taken by the Government ... will be in the best interests of the people concerned”.

Late in 1981 the DAIA issued a special edition of the “DAIA News” entitled, “A Time for Thought Not Worry”. What a joke! That issue presented nine commitments by the Premier and by the then Minister, Mr Tomkins. One of those commitments was—

“Before any draft legislation goes before Parliament, it will go before the Advisory Council for discussion. The Councils will have the opportunity to review the proposed legislation.”

That is said time and time again.

On 1 March 1982 the Premier and the then Deputy Premier issued a press statement claiming that—

“Continuing consultation with the Aboriginal and Torres Strait Island Advisory Councils will take place during the preparation of the legislation.”

On 11 November 1981 the then Minister (Mr Tomkins) told Parliament that the advisory councils are “the councils from which the Government seeks advice.” However, on 9 March 1982, Mr Tomkins told Parliament that Mr George Mye, the Eastern Islands Group chairman, was “one fellow I take no notice of ... (he) has been the cause of much trouble to us in various ways.”

From 6 to 8 July 1982 the 15th and most recent meeting of the Aboriginal Advisory Council was held at Bamaga. A working party was set up to meet and discuss proposals for services legislation and to report back to the next meeting of the advisory council.

In August 1982 Mr Tomkins declined to provide funds for the inaugural meeting of the Aboriginal Advisory Council working party. Mr Tomkins told Parliament that “The group was not formed for the purpose of calling its own meetings” So much for self-management! He went on to say—

“The Government will tell them when it is ready with its Services legislation.”

He said Mr Geia and his deputy chairman were “the two persons who are creating the trouble” However, he assured the Leader of the Opposition that, “In due course the working party will get together and study the Services legislation.”

On 30 August 1982 Mr Tomkins issued a press statement saying that he—

“assured the Advisory Councils they would be given the opportunity to air their views about the proposed Services legislation before it went before Parliament.”

On 21 September 1982, Mr Tomkins told Parliament that, as chairman of the working party, Mr Geia wanted regular meetings. He said that if people wished to get together for meetings they would not do it at Government expense. He confirmed that view to Parliament on 28 October 1982. On 22 November 1982, Mr Tomkins confirmed in writing that Mr Geia was not, never had been and had no authority, to be the chairman of the working party—in flagrant disregard of the official meetings and in clear defiance of the wishes of the Aboriginal people themselves.

On 13 July 1983, Mr David Brown, assistant director of the DAIA, informed a seminar of Aboriginal representatives and departmental officers that their ideas would be very helpful to the department and to the working party in their task of developing recommendations that would eventually take the form of draft legislation for consideration by the Aboriginal Advisory Council.

The Aboriginal Advisory Council has not met since July 1982, and a majority of the members of the working party have not met in formal session since December 1982. So, despite the behind-the-scenes efforts, the present Minister has held little more than hasty and generalised discussions with Aboriginal representatives on reserves—probably about football. It seems that the formal consultation process with the Aboriginal Advisory Council and its working party was abandoned long before any draft services Bill was formulated. Earlier we were told that the legislation was formulated three months ago. Nobody, except National Party back-benchers, has seen it. So much for consultation! It should have been possible to formulate draft legislation that was not dissimilar from the draft children's services legislation that was presented earlier today. That is what we wanted and that is what we were denied. Yet the Minister says in a grandiose way that he has talked to people up and down the State.

As recently as 2 March 1984, the Minister refused to provide Aboriginal representatives or the community generally with details of draft services legislation, saying that he refused to provide any specific details about the legislation and adding that all information had been embargoed. Why was that? It was probably for the same reason that we have to debate this Bill in the middle of the night when everybody is asleep. Everybody will go away for the week-end and by Tuesday this Bill will not be such a big deal.

Consultation with Aboriginal people means listening to what they say. But it means telling them what is being proposed. That simply has not happened. The Government has gone back on its word, as has the Minister. Any pretence that this legislation that is now being rushed through the House so that the Minister can get away—presumably overseas to avoid the flak—has Aboriginal consent cannot be sustained.

The consultation process has not taken place. The draft legislation to which I have referred should have been formulated. Perhaps the reason why draft legislation was not formulated and why the Minister has been so tardy is that the Minister is actually ashamed to tell the people what the Government intended by such a Bill. There would have been a storm of protest resulting in the Minister's losing much sleep and being put under a great deal of pressure. As it is, he is in the line of fire only for the next few hours. Then he will be able to slip quietly away. He was too scared to consult on this Bill. The way in which it is being pushed through the House is a travesty to the Westminster system. He had to hide the legislation for as long as possible because it is totally inadequate and he knew that he would be exposed for the hypocrisy of all the things that he has been saying and all the broken promises that he has been making.

The way in which this Bill is being foisted on the people of Queensland, in particular the Aboriginal and Islander people of Queensland, is simply an advertisement of the fact that power corrupts and absolute power corrupts absolutely. The numbers in the House are what gives the National Party power. The people in the gallery, the people in the communities and the people in the rest of Australia and in the world will recognise this legislation for what it is—its shameful nature, its racist nature and its complete inability to confront any of the problems that are facing the Aboriginal and Islander people of this State. The Minister should be ashamed.

Mr RANDELL (Mirani) (12.10 a.m.): I rise to support this very important piece of legislation. I suppose I could say that this is a historic occasion——

Mr Hamill: It is a disgraceful historic occasion.

Mr RANDELL: The Minister's committee, of which I was a member, was treated in a courteous and proud way by the Torres Strait Islanders. It makes me sick to the stomach to listen to what is going on and I can only imagine what the Aboriginal and Islander people sitting in the gallery must think of the actions of some of the members in this place; I do not say all of the members. They must be disgusted.

Mr Casey: Is that a prepared departmental brief that you are reading?

Mr RANDELL: The member for Mackay can have a look at it.

Mr Casey: Yes, it is.

Mr RANDELL: The honourable member can see that I have written this myself and I am the only one who can understand it.

It is pleasing to see in the gallery so many of the people who will be affected by the Bill. Their way of life will be improved. Getano Lui Jnr and George Mye, great leaders among their people, are present. It was my pleasure and privilege to have been a member of the Minister's committee which travelled extensively up and down the coast to consult with them. I can remember being at Thursday Island with 29 representatives of the Torres Strait Island people. I was very impressed at the way in which they stood up so proudly one by one and spoke to us. They are a proud people, if I may use that word; proud of their islands, their families and most of all, themselves. They must be ashamed when they see this Parliament, especially when they hear the Opposition members protesting against this Bill that will do so much for them.

These people told the Minister's committee that they were prepared to accept self-management and that they could manage their own affairs. We listened to them, and the Bill is the result. I congratulate the Minister for his initiative and hard work.

Mr R. J. Gibbs: Put your notes down and say what you really think.

Mr DEPUTY SPEAKER (Mr Booth): Order! I remind the member for Wolston that persistent interjections will not be tolerated. I warn the honourable member under Standing Order 123A.

Mr RANDELL: Under the legislation community councils will bear great resemblance to any local authority council in Queensland. They will have the responsibility to make the decisions themselves. For example, the community council will be responsible for administering a rating system. This is a major means of providing local authority income. The community councils will maintain essential services and the communities will progress. Like any other local authority, the communities will be given a chance to prosper under their own guidance. There is nothing wrong with that. Everyone in this Chamber has that right under the local authority system and it is something to be proud of.

Mr Hamill interjected.

Mr RANDELL: I can hear that persistent interjector, the member for Ipswich. He sounds like a little dog snapping at the heels of people. I do not suppose that he is game enough to snap at me; he only snaps at women.

The next election of community councils will take place in 1985. That is when, of course, the next State local authority elections take place. If a community council does not perform, if it does not meet the wishes of the people and if it is corrupt, it will not survive the election. The same rules apply to every local authority in Queensland, and to State Government elections. It is the democratic system of government.

In the same vein, an electoral roll will be compiled. The communities will become, like any other local government area, places in which citizens can voice their opinions about local events. The electoral rolls will be compiled by the State Electoral Office, or under its jurisdiction, which is the same rule that applies to any local authority area.

The Governor in Council, in his absolute discretion or upon the petition of at least one-fifth of the electors on the roll, can dismiss the council. If he does so, he is empowered to appoint an administrator. I do not believe that there is a need to have any qualms about that. Once again, it is simply a normal process of local government. The Gold Coast City Council was run by an administrator for a long time and there was no undue anxiety among the locals.

Moreover, because of isolation and special funding provisions, two far-north Queensland local authorities employ an administrator on a full-time basis. These are the Cook Shire Council and the Torres Shire Council. That proves that we can get along.

Every Island Council existing at the commencement of the Act will stay in office as a body corporate. A body corporate has the ability to make joint decisions, and it is empowered to take out leases as a group.

Of course, the linchpin for these councils is responsibility—that is the key word: "responsibility"—for, without responsibility, no council can hope to meet the expectations of its shire residents. Unless these councils accept responsibility, they will fail. Just like any other council in Queensland, these councils can be voted out of office.

As I say, every Island Council existing at the commencement of the Act will stay in office as a body corporate, and it will stay in office until it is disbanded. Those councils, as bodies corporate, will be capable by law of being sued and suing. They will be able to lease, hire and let, just as any other body corporate in Queensland may do in law.

An Island Council has at its disposal the ability to make by-laws that will promote and maintain peace, order and discipline. It can make by-laws to regulate and control housing and welfare, which is the system under which all other people in Queensland live.

The functions of these councils will include the maintenance and management of roads and the maintenance of essential services, which are the same functions as those of other councils in Queensland.

Earlier I mentioned that community councils will have to be responsible. Again, "responsible" is the key word. They must be responsible. I have no doubt at all that the leaders whom I met in the Torres Strait area are responsible people. They are educated and they are responsible.

These councils will have to abide by strict accounting principles. They will be required to prepare their own annual budgets. They will also be able to hire their own servants and agents.

Mr Hamill interjected.

Mr RANDELL: The honourable member for Ipswich persists in interjecting. He has had a fair go at contributing to this debate. If he persists in interjecting, I will give him something to remember.

Already, at Aurukun, which is a local authority area, the council has employed a European as a shire clerk. As a council, Aurukun is working well. I have been informed that this year about 4 000 cattle will be turned off there. I know that the Minister is very proud of that.

The local government guide-lines that are laid down in the Bill provide the mechanism for change on the Aboriginal and Islander communities. That change will lead to economic progress and social and cultural advancement. No moral person can argue against this cause. Not even a member of the Opposition could argue against it.

I wish the Aborigines and Islanders well in their quest for future happiness, fulfilment and a better way of life. In their hands they have right now, at the commencement of this Act, the start of a right to provide a future for their children and their children's children. I wish them all the very best.

I congratulate the Minister, and I support the Bill.

Mr PRICE (Mt Isa) (12.18 a.m.): I join with honourable members on both sides of the House in extending a welcome to the leaders of the Aboriginal and Islander people. I am very sorry to see that such people from my own electorate are not in the gallery this evening. However, under this Government, like everything else, the people of my part of the State are the forgotten ones.

With your indulgence, Mr Deputy Speaker, I will place on record a list of the consultation processes and undertakings of this Government since October 1980.

In that month, the Premier announced that the Aborigines Act and the Torres Strait Islanders Act would be repealed. On 18 March 1981, he told Parliament—

"It will be done in the near future, during the year—perhaps not this session, but next session. I can promise that. That will be for sure."

On 1 April 1981, the Premier told the Aboriginal Advisory Council that he hoped that it would be possible to introduce amending legislation later that year, and he suggested that that council form a small working group. He stressed also that before any draft legislation went to Parliament, it would have to come back before the advisory council.

On 5 August 1981, the Premier told the council that its views would be very carefully taken into account.

On 16 September 1981, the Premier told Parliament, in answer to a question from the member for Cook, that he would not set up an all-party committee to consider the legislation and that any decisions taken by the Government would be in the best interests of the people concerned.

Late in 1981, the DAIA issued a special edition of the "DAIA News" entitled "A Time for Thought not Worry". That issue presented nine commitments by the Premier and the Minister (Mr Tomkins). One of those commitments was that before any draft legislation went before Parliament it would go before the advisory council for discussion, and that the councils would have the opportunity to review the proposed legislation.

On 1 March 1982, the Premier and Dr Edwards issued a press statement in which they said that continuing consultation with the Aboriginal and Torres Strait Islander Advisory Councils would take place during the preparation of the legislation.

On 11 November 1981, the Minister (Mr Tomkins) told Parliament that the advisory councils were the councils from which the Government sought advice. However, on 9 March 1982, Mr Tomkins told Parliament that Mr George Mye, the Eastern Island Group chairman, was "one fellow I take no notice of (He) has been the cause of much trouble to us in various ways."

From 6 to 8 July 1982, the fifteenth and last meeting of the Aboriginal Advisory Council occurred at Bamaga. A working party was set up to meet and discuss proposals for services legislation and to report back to the next meeting of the advisory council.

In August 1982, Mr Tomkins declined to provide funds for the inaugural meeting of the Aboriginal Advisory Council working party requested by its chairman, Mr Tom Geia, who was also the chairman of the Palm Island council. Mr Tomkins told Parliament that the group was not formed for the purpose of calling its own meetings. He said that the Government would tell them when it was ready with its services legislation. He said that Mr Geia and his deputy chairman were the two persons who were creating the trouble. However, he assured the Leader of the Opposition that, in due course, the working party would get together and study the services legislation.

On 30 August 1982, Mr Tomkins issued a press statement assuring the advisory councils that they would be given the opportunity to air their views about the proposed services legislation before it went before Parliament.

On 21 September 1982, Mr Tomkins told Parliament that, as chairman of the working party, Mr Geia wanted regular meetings. He said—

"If people wish to get together for meetings, they will not do it at the Government's expense."

He confirmed his view to Parliament on 28 October 1982.

On 22 November 1982, Mr Tomkins confirmed in writing that Mr Geia was not, never had been, and had no authority to be, chairman of the working party.

On 13 July 1983, Mr David Brown, the assistant director of the DAIA, informed a seminar of Aboriginal representatives and departmental officers that their ideas would be very helpful to the department and the working party in its task of developing recommendations that eventually would take the form of draft legislation for consideration by the Aboriginal Advisory Council. The Aboriginal Advisory Council has not met since July 1982, and a majority of the members of the working party have not met in formal session since December 1982.

However, it seems that the formal consultation process with the Aboriginal Advisory Council and its working party was abandoned long before any draft Bill of services legislation was formulated.

As recently as 2 March 1984, the Minister for Northern Development and Aboriginal and Island Affairs declined to provide Aboriginal representatives or the community generally with details of draft services legislation, saying that he refused to provide any specific details about the legislation. He added that all information had been embargoed, except, as my colleague the member for Cook pointed out earlier, to the Cattlemen's Union.

A Government Member: What have you got against the Cattlemen's Union? You are down on them, aren't you?

Mr PRICE: The Labor Party started the Cattlemen's Union.

The Minister, in his second-reading speech on the Community Services (Torres Strait) Bill, said—

"They have laboured for over 40 hours translating the wishes of the people of Queensland's deed of grant in trust areas into legislation."

Forty hours! Christ took forty days and forty nights to sort himself out, and the Minister has done the lot for a race of people in 40 hours. He makes it sound like building the Burma railway. The Yarrabah councillor he quoted as saying, "your big sit-down is over" was aiming the gibe at the Minister, suggesting, "From now on, you'll be working."

Earlier, the member for Fassifern—the name-dropper—spoke about yard-sweepers. I would really like to take the member for Fassifern to Doomadgee. I would perhaps have the Minister provide hundreds of brooms so that they would really get to work on a former mission that needs cleaning up—one that needs action from the Government.

The legislation is a sell-out. Under the guise of a new name, the Minister has revamped the old Act. I blame the Minister, but he can place it in perspective by thanking the Minister for Works and Housing, the Premier and his other cohorts in the National Party. Most of all, there is his departmental director (now his under secretary), Mr Pat Killoran—"perfect Pat". The Minister has lost. He has been put in his place. He has lost credence with Aboriginal and Islander Queenslanders. He has lost the north. He is the false hope of those people—and he was a hope.

"The Australian", on 9 April 1984, reported—

"A tacit truth has been declared with the appointment of Bob Katter as Minister for Northern Development and Aboriginal and Islander Affairs.

'Aboriginal people are adopting a positive outlook for the first time' . Since Katter's advent, the Aboriginal councils have even changed their minds about the 'deed of grant in trust' legislation—the subject of a continuing row since the 1982 Commonwealth Games."

The Minister is the false hope of these people. He has even lost to Killoran, who has beaten the Minister into the acceptance of these puerile, paternalistic provisions. He knows it, I know it and Killoran knows it. Given time to absorb this nonsense, the whole of the north will know it. With this lily-livered attempt at compromise, the Minister has gone back on the trust offered to him by the people. His advisers outside his party will shun him. The churches will have good cause to shun him. The people of the north will shun him. I have serious doubts that he knows what he is doing. Is the hope that it will go away if he rushes it through Parliament his escape from his advisers? At what point in the lead-up did his courage escape him?

Mr Katter: You haven't made one comment on the Bill yet.

Mr PRICE: It is coming.

So early in his Ministry his limitations have been made obvious. He has been relegated to the position of Killoran's puppy. Killoran failed to have himself elected, yet he dictates to the Minister. He has all the power he wants through his Minister. The Minister could not get the better of him. His potential convictions have been lost. The Minister has shown his refusal to listen to these people. He has enacted no change. He has only strengthened Killoran's powers.

I quote again from the Minister's second-reading speech—

"We are not handing over to the Islander people anything at variance with local government in other areas of Queensland."

What other council has, for its sources of revenue, rates, grants and beer? We might attract a horde of councils applying for the last concession. Which other council in Queensland has to make monthly statements of expenditure for the Minister's approval, as well as its yearly audit? Which other council runs the risk of being jointly and severally liable for expenditure it incurs outside its budgetary items? What other council risks disfranchising its citizens because they have also been enrolled and will vote in an election other than one under the Local Government Act?

What other council insists that a person be a rate-payer before he can vote? That is the complete antithesis of the old adage: no taxation without representation. The Minister said that the Government was not setting up a separate State and claimed that the ALP is determined to do that. He claimed that the Government was conscious of separatist attitudes in other parts of the Commonwealth which had caused disillusionment amongst many Aboriginal and Islander people. If that is the case, what the Minister is doing by enrolling these people on separate rolls—essentially disfranchising them from local government and thereby the Commonwealth system—and declaring that they must pay rates before a vote

is legal is setting up an apartheid system. At least for these people the Government recognises one vote one value. It will be refreshing not to have the cattle and the acreage recognised as voters.

What more could the Government do to divide the Australian people than to have a separatist movement among one section of the community, which the Government distinguishes by skin colour and racial origin? The use of beer to raise revenue will bring about the return of the rum trade; beer is now legal tender in some areas of Queensland.

This untidy directive cannot possibly reflect the state of the Minister's mind. I am disillusioned. If this is so, I fear for the Minister's electorate and I fear for the north. I was wrong; they were wrong. If he had the convictions we felt he had, the courage to expound them was his Achilles' heel. For him, the communities will not be his beloved trust areas, they will now be his mistrust areas.

With the Minister's separatist communities and their separatist councils will be their separatist law courts. The Island Courts will have jurisdiction, presumably, over those on the community roll. There will also be an Island Industries Board, a resurrection of the East India Company, the accompanist to the British Raj—pip, pip and all that—or the commercial arm of the colonialists. Let us imagine the effect of the board on Aboriginal communities, particularly in my electorate. Mornington Island already is a shire and is already encouraging enterprise. The island will be swamped and whatever enterprise has been shown to date will die. Doomadgee will be reinforced as an isolated community. The Islanders will be told, "Stay home. Don't participate in any way in your shire. You are disfranchised, anyway. You have lost your voice on the Burke Shire Council." At least the Islanders had one seat there, but unfortunately that face was black. He was accepted there by some of the councillors, but that is not the way the National Party wants it to be.

Mr Hamill: That is an absolute disgrace.

Mr PRICE: That is correct.

Although the Islanders had a voice on a reigning council, they have now lost even that representation. The Government says Doomadgee has been a threat to the shire council and that with one vote one value it might dominate the shire. The Islanders of Doomadgee have been disillusioned and now they have lost even their representation.

The Burke shire will pay the price for the formation of the Island Industries Board. Business activity will remain at Doomadgee and trade will be restricted.

Section 30 of the Local Government (Aboriginal Lands) Act Amendment Act 1978 reserves mineral, forestry and quarry rights in Mornington shire for the Crown. No such rights are even mentioned for these mistrust areas. That is scant recognition for these self-governing deed of grant in trust lands. The legislation reeks of paternalism. I quote from the Bill—

"Subject to and in accordance with the regulations (if any) applicable to the grant in question, the Under Secretary may grant aid to any Islander who applies to him therefor and, where necessary, may apply therein money appropriated by Parliament for the purpose or money held by him for the benefit of Islanders generally."

Of course, the under secretary is "perfect Pat" Successive clauses father these people into having Killoran look after their money, goods and chattels. Why cannot they be like everyone else? Why must he administer their estates? They cannot even die in peace. Authorised people can enter private property without the owner having the right of refusal. Other Australians have that right, why not these people? No wonder they have a desire not to be like us.

Mr Elliott: What makes you think they don't have the right to refuse entry to private property?

Mr PRICE: It is in the Bill. The honourable member has obviously not even read it. Mr Elliott interjected.

Mr PRICE: I suggest that the honourable member look at clause 65. I will discuss it with him later.

This is yet another attempt at Government policies of forced assimilation and integration. They have all failed, as this one will. The Aborigines and Islanders will resist it, just as they have all the others. The Minister may understand their need for land but he has

failed to imprint his will on his own department and his own Government. He should resign on principle. The need for land—a spiritual lease—a home, and an economic lease where they can determine for themselves which directions their destinies shall take them are more urgent than ever. The Government now suffers the stigma of being a Government that is hypocritical and greedy, and the Minister must share the guilt for the destruction of these people.

If they are ever to take their rightful place in Australian society, they must be free to be themselves. They must be released from these Acts. They must have inalienable title to the land they now occupy—their community land, their reserves—and they must have the right to manage their own affairs. Whether this be along traditional or western lines is immaterial; it is for them to choose.

The bigotry against European minority groups in Australia is gradually disappearing. Queenslanders must now stop the paternalism and suppression of Aborigines. They have a great deal to share with other Queenslanders. It is not too late for other Queenslanders, even the Minister, to learn.

Mr McPHIE (Toowoomba North) (12.38 a.m.): I compliment the Minister on a businesslike and worthwhile piece of legislation. I note that this Bill has been introduced very shortly after the National Party came to power in Queensland in its own right and it is a sign of the type of legislation—sensible and needed—which we will continue to introduce.

I was a member of the committee working with the Minister, and I accompanied him on some of his visits. I attended all of the meetings that were called to formulate this Bill. Of particular significance was our visit to Thursday Island, where we met a number of people at a special meeting. I was very impressed with the quality of the people and their dignity, ability and sense of responsibility. We were welcomed there, as we should have been, because we were working towards bringing in this Bill to better the living conditions of Aborigines and Torres Strait Islanders.

I would like to quote three comments by the chairmen of the respective island groups, which are indicative of their thinking and the reception given to us. The chairman of the Western Islands Group, Mr Joe Nona, said that they had to be given a chance to manage their own affairs. That is precisely what the legislation does. Mr George Mye, the chairman of the Eastern Islands Group commented that the Torres Strait Islanders had been marking time for far too long, and that it was time for them to progress to further responsibilities. Again, that is what the Bill does. The younger man, Mr Getano Lui, the chairman of the Central Islands Group, said that it was a pleasure to be able to take part in Australia's progress. Through this legislation, we will be opening the way for them to do just that.

Mr De Lacy: Did you go to Yarrabah?

Mr McPHIE: Yes, and we had a meeting there. We were equally impressed.

Mr De Lacy: With the people?

Mr McPHIE: Yes, with the Aborigines; and they are covered by the second Bill, not this Bill.

I have listened to the comments of Opposition speakers. Generally, they do not understand the finer points of the Bill before us or, for that matter, even the Act that it is replacing. Time and time again they pulled out clichés. In fact, some of them became quite frantic when they were speaking.

I must take to task the member for Cook, who led for the Opposition. We saw a little effort from him on Wednesday, 4 April last, when he spoke on this matter during the Matters of Public Interest debate. He showed then that he had no knowledge of what the Government's program was for the Torres Strait Islanders or the Aborigines. He made an emotive and misleading speech. As usual, many of his comments were mischievous. His speech tonight was no better.

Mr Elliott: It was worse.

Mr McPHIE: The honourable member is right. If anything, the speech of the member for Cook tonight was worse. It was chock-a-block-full of supposition. He showed a lack of knowledge of the Bill and gave wrong interpretations. In fact, a number of Opposition speakers have said that voting rights are being taken away from the people. That is not so.

Mr Scott: We have the Bill.

Mr McPHIE: If the honourable member was able to understand the written word, he would be able to see that we are not taking voting rights away. We are taking these communities out of local authority areas and putting them in their own areas. The people will be able to vote in their own elections, just as honourable members are able to vote in their local authority elections. They are not losing anything; we are not taking anything from them.

The member for Cook suggested that conniving, skulduggery and scheming will be going on at council level. I find that remark most insulting when it is applied to people of a great race who have dignity and ability.

The member for Cook, who led for the Opposition, made a number of points. I cannot say the same about the member for Mt Isa (Mr Price), who gave a dreary history and showed that he did not understand the voting rights.

The member for Cook delved into personalities. That should not be done when a Bill such as this is being debated. He attacked the director, the future under secretary, and the Minister.

Mr Mackenroth interjected.

Mr McPHIE: I am attacking personalities, too, because I am tearing Opposition speakers to bits.

The honourable member for Cook suggested that it was not necessary for a senior public servant to be connected with the running of any department. Surely he has more knowledge than that of the way in which Government departments function.

He referred also to the meeting that was held on Thursday Island on 23 March 1984. He spoke about the discussions and then claimed that there had been no previous consultations. He did not understand what the discussions were about.

Mr De Lacy: Meaningful consultation.

Mr McPHIE: We had meaningful consultation with the Thursday Islanders for quite some time. The discussions on Thursday Island to which the honourable member referred concerned the timetable for the implementation of the legislation. Previously we had not given a firm date; we were developing a program.

Mr Scott: I am only going on what the island people told me.

Mr McPHIE: I am surprised that they told the honourable member for Cook anything; in fact, I question whether they did. From the little he said on 4 April when he spoke on this matter, I do not think that he got any feedback from them at all. I do not think that they trust him. I do not think that they are giving him any information. They regard the honourable member in the same light as they regard Charlie Perkins.

This Bill provides the people with self-management. Their status will be the same as that of every other Queenslander. The Government has accepted the lesson of history. It recognises that all citizens of Australia share equally in the wealth of this country and that the status of every individual is equal. Land rights legislation is associated with the Bill. Land titles will be transferred to the people under deeds of grant in trust.

The Bill prepares for the future. The Minister will be introducing some amendments to the Bill at the Committee stage that are far more pertinent than the sheaf of papers waved about by the member for Cook.

The Government has taken positive action to set up the Island Councils and transfer to them local authority status. Elections will be held.

Opposition speakers have criticised the Bill because it provides for the appointment of an administrator. They should take a closer look at the Local Government Act, because it also makes provision for administrators. The Islander people are getting exactly the same treatment as other Queenslanders.

The Government does not have a paternalistic or big brother attitude. It is introducing sensible and logical legislation to transfer responsibility to the Island Councils. It is a reasoned approach, similar to that used by the Federal coalition Government when it transferred control in New Guinea. It will not be the same as happened in the Congo when the Belgian administration walked out and left the local people to their own devices.

Controls are embodied in the Bill to ensure that the Islanders are helped in the transition phase, when they assume responsibility and learn what that responsibility entails. The Bill will protect them. The Federal Government caused ructions at Aurukun and on Mornington Island. There was trouble in those places because they were arbitrarily forced to change their status and accept responsibility before they were ready to do so. They were bailed out at great expense. Safeguards are embodied in this legislation to ensure that the people will not need bailing out. They will accept responsibility on an ongoing and escalating scale in line with their ability to handle those responsibilities.

Mr Scott: You have said that for 20 years and have allowed them no progress whatsoever.

Mr McPHIE: They have been allowed to progress. If the member for Cook was as loyal to the island people as he claims he is, he would realise that this legislation is a great step forward.

The Bill provides money controls and budgetary controls. Loans can be raised and, in time, rates will be collected. Provision is made for management of stores and canteens. There is provision for training. There are provisions for the control and management of assets.

The people have accepted responsibility. They are proud that the responsibilities will be handed to them and there is mutual trust. There is equality in the legislation. The people will be equal with every other Queenslander. Ordinary Queenslanders do not have mineral rights or automatic rights to timber carrying profits. I do not think any special section of the community should have those rights over and above their fellow citizens.

Under the Bill, the people will be given an opportunity to develop their own business and to move into business. Provision is made for education and health, and those services will be handled, as they are now, by the department. It is of interest to note a recent newspaper article in which it was stated that Mrs Estelle Barney, an Aboriginal community educational councillor, commented on the large number of Aboriginal children who are moving into Years 11 and 12 and are going on to tertiary education. They are the very people who, in the future, will be setting up these programs and ensuring that they are carried on to a successful conclusion.

The Government is introducing a significant program. It is not one of hand-outs to Aborigines, such as we saw in the Whitlam years, when Aborigines on rural properties were virtually destroyed. Many of them turned to grog, and that just about destroyed them.

This program will not set up a multiracial society. The Bill will lay down rules that will make the Aborigines and Islanders equal, not separate. They are Queenslanders, and they are Australians.

On that matter of equality, the Bill provides access to these areas. It does not make provision for permits. There will be no enclaves. The right will be given to the councillors to control or authorise entry in some cases and to eject people whom they do not want.

Mr De Lacy: Is that subject to the under secretary?

Mr McPHIE: A few moments ago, the honourable member told me that he had read the Bill. I suggest that he read it again and he will find the answer. I suggest too, that any Opposition members who visit these Aboriginal and Islander areas will be the first ones who are ejected, because the councils can toss out the people whom they do not want to see on their communities. I suggest that the honourable member for Cook grow a moustache so they will not recognise him. However, once he opens his mouth and they hear him pour out his usual bilge, they will know it was he, and soon have him by the scruff of the neck and off their communities.

The Bill is not concerned with land rights; they come later. Land rights are part of the legislation concerning the deed of grant in trust, and an amendment to the Land Act will be required to implement that legislation.

It must be recognised that only land that previously was known as reserve land will be transferred. In the Torres Strait area, of course, that means the whole of the islands and some of the land at the tip of Cape York. Under the Community Services (Aborigines) Bill, however, large areas of land are involved.

Coming with the land rights legislation will be the right of title to town blocks for individuals. There will be legislation to permit the leasing of land for enterprises such as cattle stations and other business enterprises. There will even be the means by which land can be used to develop tourist industries in the areas in which local councils wish to develop them.

I might mention that this legislation will be quite different from the land rights legislation that was brought in by the Federal Government. It talks about inalienable freehold rights. It has taken over vast tracts of country, especially in the Northern Territory and South Australia, but nowhere has it given freehold title to a single Aborigine. The Federal Government's legislation is a fraud. It does not give freehold title to one Aborigine. The freehold title is held by Charlie Perkins and his Aboriginal Development Commission, which is the biggest single land-holder in Australia. The Aborigines, who have been deceived, do not have title to anything, and they are not likely to get it.

The success of the Federal Government's program can be judged from two things. The first is the reception that Mr Holding got from Mr Everingham in the Northern Territory election. And I would remind the House that 28 per cent of the land in the Northern Territory has been transferred to the Aborigines.

If the program is allowed to continue, 46 per cent of that land will be transferred to the total exclusion of any white land-holders, white people or other Australians. It has been so successful as a public relations exercise that Mr Everingham even invited Mr Holding to the Northern Territory to talk during the election campaign on that matter. He thought that Mr Holding would be the best speaker in favour of the Everingham Government.

I draw the attention of honourable members to Morgan poll figures published in "The Bulletin". On 2 August 1983 a number of questions were asked about land rights for Aborigines, Torres Strait Islanders, Australians and white people. The overwhelming majority of people, or 72 per cent, who answered a series of questions, said that Aborigines should have the same land rights as white people and that there should be nothing different. That is what they are being given.

Mr Hamill: You are not giving them the same human rights.

Mr McPHIE: They are being given the same human rights. The honourable member knows that very well. He did not refer to that matter in his speech. I am surprised that he did not refer to it if that was in fact true.

I have been through the legislation and I know that they have been given the same human rights. The legislation contains protective clauses to handle the transition period. If the honourable member for Ipswich had been on the committee, he would understand how many clauses in the Bill were requested by those people because they are worried about the likes of the honourable member.

The future will be good. A basis is established for business enterprise. Development of business undertakings in the tourist area, cattle properties, and other developments such as the Edward River crocodile farm, will take place.

Mr Scott: That is a Commonwealth project. Are you taking that over, too?

Mr McPHIE: That is still on this type of land. The member for Cook should know that.

The legislation will permit the development of a full infrastructure of local supporting industries and businesses. There is a natural progression that will occur. Full local authority responsibilities will transfer, including total management of finances and handling of commission grant funds. Departmental involvement, however, must continue for a short time while training and experience are built up to permit the complete transfer of control and operation in due course.

In conclusion, I state that it has been a privilege to serve on the Minister's committee. I hope to continue to do so as the Bill is implemented. I am completely confident of the future. I note that Mr Holding, the Federal Minister for Aboriginal Affairs, is completely

confident of the future of this legislation, because on 16 March this year he commented that he could see no serious clash with Queensland's legislation. For a comment such as that to come from a member of the Federal Government, it is high praise and a good endorsement.

I congratulate the Minister and his staff. Particularly, I congratulate Mr Pat Killoran for the excellent job that he has done. Despite the rotten comments that we have heard from the other side of the House, I say to Mr Killoran that he has a wonderful opportunity ahead. He has a tremendous task before him. He has the opportunity of greatness for he is the man who, I believe, will be the under secretary and will see these dynamic processes implemented and the whole total program implemented during his term of office.

Mr FOURAS (South Brisbane) (12.59 a.m.): I join with other members of the Opposition in totally opposing this piece of legislation. It is indeed a very cruel deception. It is a very heartless piece of legislation. George Bernard Shaw once said that the greatest sin we could commit against our fellow human beings was not to hate them but to be indifferent towards them, because indifference is the essence of inhumanity. That has been exhibited by the Queensland Government ever since it came to power. Australia has been guilty of one of the worst cases of racial and cultural genocide in the history of western civilisation. Land, the spiritual foundation on which the Aboriginal culture depended for its survival, was ruthlessly taken from the Aborigines. The descendants of a once-proud race became depressed and dependent upon the new owners of the continent.

We now speak about the Aboriginal problem as though those people created the problem themselves. It is a problem for which we, the people who have taken over the land, heritage and culture of the Aborigines, are responsible. In 200 years' control by Australians, the Aboriginal population has declined from 600 000 to 200 000. The physical violence has stopped. We now no longer have people in such areas as Longreach going out to hunt Aborigines. Attitudinal violence has taken the place of physical violence. Economic violence has taken its place. We have insisted on continuing with our own excessive drive for development. We do not give a damn about what is dear to the Aborigine. There is attitudinal violence because we continue to impose western cultural values on Aboriginal people. That depresses them, because they want to retain their own distinctiveness.

In a debate earlier this week about week-end detention, I referred to statistics about the number of people in gaols throughout Australia. The figure for Queensland is 88 for each 100 000 of the population; for Victoria, 44; and for Scandinavia, 22. The Minister told me that I was not taking into account the State's Aboriginal population. What he was saying, of course, was that Queensland's figures are high because 2 per cent of our population is Aboriginal. In some way, the Government justifies its prison numbers on that basis. It is appalling that we should have double Victoria's prison population because we have more Aborigines in our State than there are in Victoria. It shows the degradation that results from trying to make those people uphold western cultural values. We find a solution in locking them away and putting them in gaol.

Approximately 37 per cent of the children in institutions in Queensland are Aborigines. I repeat that they constitute only 2 per cent of our population. We lock them out of sight in institutions that dehumanise them and in many ways destroy them.

On a Saturday night recently I was at Musgrave Park. Some ladies had camped there to show that no services were available to help Aboriginal families. They intended staying one week to make their point. Thirty children turned up—children in my electorate who are sniffing glue, whom nobody wants. They are the throw-away children of our society; human beings who ought to be part of our society—our youth, the greatest asset that our society has. Again, the Government does nothing about it. It is appalling that those kids, unwanted in our society, should be sleeping in tents and sniffing glue. That is a symptom of how we have treated the Aboriginal people. We ought to feel a great sense of disgrace.

In his second-reading speech, the Minister thanked his predecessors. He thanked the Premier, who played such a large part in drafting the original legislation. He skited that his committee had put 40 hours' work into putting the legislation together. He went on to quote, as a justification for the legislation, what one of the Yarrabah councillors said. I wish to repeat that quotation—

"What this legislation is saying is your big sit-down is over. This council is going to give you nothing except higher rates, higher rent, higher charges. You'll

be paying your way. Sitting in the sun all day on the grog is over. From now on, you'll be working."

That is an absolutely ridiculous misrepresentation of what that person must have felt. The legislation gives them nothing.

Mr Katter: What he is saying is, "Let's get up and get stuck into it."

Mr FOURAS: Yes, by paying higher rates and higher charges.

If the Minister is fair dinkum about finding work for these people, there might be some justification in what he is doing. Welfare is all about work and the right to work. It is appalling that he should be saying that, because they will be paying high rates and charges, they will no longer be able to be "on the grog" because they will all be working. What absolute nonsense! The legislation contains no provision that does anything about that.

Earlier in the debate, when one of my colleagues was discussing deeds of grants in trust, the Minister inquired what the Opposition thought was wrong with that legislation. Because it goes hand in hand with the legislation now under debate, I will tell the Minister briefly. The problem with deeds of grant in trust is that there is no certainty about the excisions that may be made from the deeds. The Opposition has no indication of the size of reservations that may be excised specifically for public purposes, and no qualification has been placed on the ministerial power to approve or terminate all leases given by community councils.

Queenslanders have been waiting for four years for the repeal of the Act. In that time, Aborigines have had to put up with oppressive and reprehensible legislation. They have hoped for a responsive and responsible solution to that problem. Unfortunately, they have received nothing. The Minister has done what I would call a snow job on the Aboriginal people. Recently, in Musgrave Park, I spoke to an Aboriginal lady who said that the Minister had visited her and was very good at listening to her problems. She had great faith in the Minister and felt that he would understand that Aborigines ought to be allowed to seek their own destiny and to be supplied with programs that they themselves run, which would allow them to make their own mistakes. She felt the Minister understood the problems and had the solutions to them. However, if she looked at this legislation, which is simply the old legislation under a new cover, as was said earlier, she would be extremely disappointed and realise that she has been conned. That is both sad and reprehensible.

Members of the Opposition have made a fairly good case about a fundamental promise that the Government has broken, which involves the lack of discussion and consultation with Aboriginal and Islander communities. As has been so well documented by the members for Cook and Mt Isa, there was no worthwhile consultation or discussion. The legislation is, once again, an example of tokenism and paternalism. That it has to be rushed through this House in the early hours of the morning is absolutely appalling.

I advance the argument that there is no difference between this legislation and the Act it repeals, which members of the Government said was regressive, unacceptable and reprehensible. I want to see what the differences are. I studied both pieces of legislation and had a great deal of difficulty in finding any difference. The director will become the under secretary and, like the director, he will be a corporation sole. He will have power to delegate his powers, as he could under the Act. The legislation will mean that managers are now called agents. I ask the Minister: What is new in that?

As with the previous legislation, community councils will be set up and incorporated. They will be elected for three-year terms and will now be entrusted with some local government functions. However, the problem is that they will be subject to special provisions that take away total authority and the sense of being able to do their own thing, run their own programs and make their own mistakes. Although there will be community courts, the provision is much the same as that in the existing legislation.

The Island Industries Board will continue in operation, the only difference being that it will have seven members instead of four. What is new about that? Now the Governor in Council will be able to dismiss the board, on the recommendation of the Minister. This new, updated legislation will allow the transfer of business activities to community residents; but the decisions will be reviewed by the Minister and will be final and binding on the people themselves.

What are Islanders being given? To suggest that there is anything different about this legislation is a sham. The legislation enables the under secretary to make a grant of aid to Islanders and, again, he can continue to manage the property belonging to Islanders. What is new in this legislation?

Because I do not want to be accused of waxing philosophical tonight, I will go through the Bill briefly and get to the nitty-gritty of the legislation.

Let me look first at the power of delegation. As I said, he may delegate to any person all or any of the powers, functions and duties. So what is new!

I turn now to the visiting justices. A justice visits a trust area for a specific purpose. But the clause states in part—

“Such other matters as the Under Secretary requests.”

What a shocking indictment of the system to include that catch-all phrase where even the duties of a visiting justice are subject to political patronage. He is to be told, “We want you to report to us about this, that and the other.” I cannot imagine why that power should be given to the under secretary. It is absolutely appalling.

Members opposite have referred to Aurukun and Mornington Island with some degree of pride. Let us briefly examine the differences between this legislation and what happened under the Local Government (Aboriginal Lands) Act which set up the basic local government structure for the administration of the communities at Aurukun and Mornington Island. This legislation does not even contain the limited timber and quarry rights enjoyed by the people at Aurukun and on Mornington Island, nor the limited rights to share in the profits of mining conducted on their land. So the Government has given Aborigines and Islanders less than they expected. Even if they expected only the concessions granted in the Local Government (Aboriginal Lands) Act, they have been disappointed.

I now turn to elections. I am perturbed that this Bill does not contain a schedule which sets down the conditions for the conduct of local elections. This legislation should state quite categorically that elections ought to be conducted by the State Electoral Office.

Mr Katter interjected.

Mr FOURAS: I will be very pleased to get that. That is fine. The Minister is to be commended for doing at least one reasonable thing in that regard.

The member for Toowoomba North kept on saying that this legislation contained a lot of safeguards so that the Government would not have to bail out the Aborigines and Islanders. He said that because the Government is giving them money, it wants these assurances. That is the trouble. Government members talk about the hand-out mentality, but they institutionalise that sort of mentality with legislation like this. The Government does not trust these people to make their own mistakes, to run their own programs and, to put it colloquially, to do their own thing.

Every budget adopted by Island Councils has to be submitted to the under secretary. Whilst I am on that subject, the Bill concerning Aborigines, with which we will deal later, shows how Government members are reluctant to allow Aboriginal communities to form their own councils in the immediate future. They are to be phased in over three years. That shows what Government members think about these people. What an indictment! It demonstrates the fact that Government members cannot depart from their patronising and, in many ways, disgraceful attitude towards Aborigines and Islanders.

To return to the subject of the budgets of Island Councils—the Bill provides that unless the Minister approves them they will have no effect at all. That is absolutely ridiculous. Island Councils have to keep proper accounts and show receipts for all payments. That is reasonable. But again there is a provision in the legislation that the Minister can, at his own direction, institute the keeping of whatever accounts he wishes. That problem could be easily fixed. Instead of the Minister having the overriding power to direct what accounts shall be kept, such directions could be prescribed by regulation. The Parliament should have the right to look at them to see whether the Minister has been fair and reasonable.

Mr Katter interjected.

Mr FOURAS: It is important that there should not be a big hand, Big Brother or big Government. Government members are always saying that they want a little

Government, not a bureaucratic situation in which people are tied down with red tape. They say that that is important for other people in the community but that it is not important for the Aboriginal or Islander people.

I notice that the Minister for Education is trying to wind me down. He did not do that to the member for Toowoomba North whose contribution I thought was woeful. I will take as much time as I like to express points of view on behalf of the people whom I represent in this Chamber.

Mr McLean: Would you ask the Minister for Aboriginal Affairs to show the same leniency towards the Aboriginal people as the Minister for Education showed towards Rona Joyner?

Mr FOURAS: There is a similarity in the philosophies of Government members. On the one hand, the views of the reactionary Right pervade our education system. On the other hand, some of the graziers and the elite in our society are making sure that they dominate the Government.

As was mentioned by the honourable members for Ipswich and Mt Isa, Island Councils are to be set up. I presume that similar councils will be set up for Aborigines. At the beginning of each month, these Islander Councils will have to prepare reports, returns and statements. Why do monthly reports have to be given? That is typical of the Government's hand-out mentality. It is absolutely appalling.

I now turn to the situation with police. The Minister will be able to appoint people on his own motion. I believe that he will have an over-involvement in the running of the Island police. A similar position will apply to the police on the reserves.

Complaints will be determined by Island Courts. The courts will be constituted by two justices of the peace. If two justices of the peace are not available, a majority of members of the Island Council will be able to hear a case. That provision should not have been included in the Bill. I am sure that the Opposition spokesman will attempt to amend some of these provisions.

For too long Government members have believed that Big Brother has to watch over Aboriginal people—and 1984 is a good year for that. For too long they have taken away the dignity of Aboriginal people. For too long they have not supported programs similar to those that operate in my electorate. I refer to the Aboriginal health service that is run by Aboriginal people for Aboriginal people. There are also the child care and legal aid services.

Agents, managers, directors, under secretaries and Ministers—all white people—are trying to run the show for the Aboriginal people. That has gone on for too long. It is an appalling indictment of Government members. It shows the lack of trust that they have in the integrity of Aboriginal people. The Government has assimilation policies that would not be accepted by the people in the migrant communities.

For too long the Government has tried to ignore a once proud race with a culture that is to be envied. The Aboriginal culture could have made our society much more diverse. Some Ministers see nothing wrong with attending national days at the Greek Club and enjoying Greek music, food and the good hospitality that people from my background willingly give. They applaud the Greek culture. They say that they support integration and the rights of the Greek people and other nationalities to maintain their culture, language and customs. They agree that these communities play a meaningful role in the nation. They have voting powers that assimilationist Governments such as this one cannot ignore. However, this Government has destroyed the Aboriginal people with its assimilationist philosophy and policies and it is time that that changed.

Mr ELLIOTT (Cunningham) (1.21 a.m.): I was interested to hear the member for South Brisbane giving praise to the new Minister for Aboriginal and Island Affairs. He was talking about the attitude of an elderly lady in Musgrave Park towards the Minister. She indicated that she felt that the new Minister had a fresh attitude and that he was prepared to listen and adopt a fresh approach. That is typical of his attitude, and it is reflected in the preparation and presentation of these Bills. Both the Minister and his committee have worked tremendously hard to achieve this end.

I was surprised at the attitude taken by the Opposition spokesman, the member for Cook. I was also disappointed in the way in which he carried on tonight. I am

amazed that he had the gall to come here and speak about a lack of consultation. When he was overseas, the Minister and his committee were working on the legislation and were visiting the communities in the member's electorate. This great champion of the down-trodden stands condemned for that. His best feature is his ability to yell, rant, rave, scream, hurl abuse and personally denigrate people, rather than come to grips with the problem. He has demonstrated that tonight.

In the Matters of Public Interest debate last week he spoke about the Minister and his sycophantic committee. The member for Southport was a member of that committee. I can think of no-one less like a sycophant. I notice that he has come back into the Chamber. He stands up for his rights—

Mr Scott: He knew who you meant.

Mr ELLIOTT: Yes, he got the message. Anyone less sycophantic I cannot imagine. He has been prepared to stand up for his rights and has been expelled from a political party for his beliefs and for standing up for what he believes was right, honest and just. Opposition members have the gall to call him a sycophant. They suggest that other members of the Minister's committee are sycophants. That committee is made up of people who are prepared to speak their minds, regardless of the consequences. Tonight they have demonstrated that.

Mr De Lacy interjected.

Mr ELLIOTT: I should like to deal with some of the comments made by the honourable member for Cairns, who interjects.

I was absolutely amazed to hear him suggest and even recommend that the Federal Minister, Mr Holding, should interfere in State rights in relation to Aborigines and Islanders and should introduce overriding legislation. I challenge Mr Holding to come to Queensland and try to override these two Bills. I challenge him to have a go. The self-determination of the Aborigines and Islanders has been brought about in such a way that they will be able to own their own homes.

An Opposition Member interjected.

Mr ELLIOTT: I do not care whether he is here. This is a free country, and he can go where he likes. I challenge him to come to Queensland to try to override this legislation. However, I believe that he will have sufficient sense to realise that this legislation provides exactly what the people on the Aboriginal and Torres Strait Islander communities want, that is, the right to own their own home and the right to have title to a piece of land. That is exactly what this legislation gives them.

Opposition members have suggested that Aborigines and Islanders will not be able to vote and will not be under the Elections Act. What utter rubbish! People from the communities who came here tonight to listen to this debate will be shocked. The comments of Opposition members revealed a total lack of understanding and of ability.

It is clear that Mr Holding has a very warped attitude to the whole matter. I read through Federal "Hansard" to find out what he said on the Aboriginal question. On 8 December last year, he spoke about land rights and other matters.

The only aspect on which I would agree with him is that of protection of Aboriginal sites. As a former Minister in charge of national parks, I was involved in trying to assist Aboriginal communities to establish in central Queensland a museum of Aboriginal relics. Apart from that, I suggest that the other five matters mentioned by Mr Holding are adequately handled by the State Government. Mr Holding would do well to keep his nose out of this matter and to allow the States to get on with the job of administering something that they have administered for a lengthy period without encountering any real problems.

Most other areas of this legislation have been traversed five or six times, so I shall not go over them again. I support the Bill.

Mr GOSS (Salisbury) (1.29 a.m.): This is a sad day for Queensland and Queensland blacks. Most of what I want to say has already been said, but I point out that it is appropriate that this legislation is being rammed through the House on Black Friday the 13th. By allocating the dregs of this parliamentary session to this legislation, the Minister and his Government have clearly displayed their attitude towards the black

people of Queensland. The Minister and the Government have betrayed the trust that the black people of Queensland had in them. That trust was built up over a relatively short period.

All honourable members have been impressed by the public relations exercise that was engaged in by the Minister and his sycophantic troupe on the back benches. Nevertheless, betrayal of that trust has become clear tonight.

The Aboriginal people of Yarrabah should have known, if they did not realise it a short time ago, that one of the speakers in the presence of the Minister complained about the legislation being shrouded in secrecy. He asked for a draft of it. What was the response—more smooth words, smarmy smiles and friendly gestures, but no real consultation. The people there received token consultation from a token Minister and were given no real details. How is it possible to have consultation and obtain views when everything is in a vacuum? The Minister reminds me of the character from the play who, oozing charm from every pore, oiled his way across the floor. That was the approach that the Minister adopted, and very successfully. I compliment him on his theatrical confidence trick. It has worked well, but it will not work for much longer. If one looks at the legislation, one can see that a rose by any other name would smell as foul. Terms such as “director” being changed to “under secretary”, “manager” to “agent”, and “reserve” to “area” give the lie to what he said.

Mr Katter: You said that tonight.

Mr GOSS: Indeed. It is necessary for it to be brought home again and again. The word will go out to the communities about what the Minister has done and how he has betrayed that trust. That is apparently the price that a new Minister must pay to maintain his position in the Ministry, as Mr Elliott learnt to his cost very recently.

As to the very comprehensive and lengthy speech made by the member for Cook—I support and endorse his lucid condemnation of the legislation. I reject the smearing inferences and references to the fact that he was on holiday while the Minister and his lurching circus of back-benchers and hangers-on careered round the reserves. He has been working for and consulting with those people for many years. Since Christmas, Government members have developed a passion for that sort of consultation. They are very recent newcomers to consultation and show no real concern for the black people of Queensland.

I am concerned that the Minister and his Government are building up tensions and frustrations within the Aboriginal community. The Minister will be responsible for the outbreaks caused by that frustration. When the Minister takes his foot off the throat of the black people of Queensland, particularly the young people, and they turn their heads to look at him, he should not expect to see them smiling.

Hon. R. C. KATTER (Flinders—Minister for Northern Development and Aboriginal and Island Affairs) (1.33 a.m.), in reply: The Opposition has a great deal of scepticism about the ability of the people of the Torres Strait Islands to handle their own affairs. At almost every meeting that was held on the islands we commenced with a prayer and often a hymn. I was staggered by the complete absence of crime throughout the Torres Strait islands. I was amazed with the incredible cleanliness on the islands. I asked the people about that. I was told that every Wednesday the whole town goes out and cleans up. That is one of the by-laws of the council.

I asked a lady at a store, “When was the last time the store was broken into?” She said, “It has never been broken into.” She told me that she had worked in the store since 1969.

Mr Scott: What has that got to do with the Bill?

Mr KATTER: I am saying that the people are very capable of handling local government. Opposition members have missed the point completely. Only one Opposition speaker referred to the change to local government. Profoundly different situations will exist before and after the Bill is passed. That is the change that will occur. The Bill contains many clauses that will enable a very close watch to be kept on the spending of money. I would hope, as the years go by, that all of those clauses are removed one by one.

The first criticism made by the member for Cook was that the Bill was introduced too rapidly. We had to make a decision. We had to pass legislation during this sitting of Parliament either to renew the existing Act or to bring in a new one. At seven of

the last nine meetings I attended I asked what the desire of the people was—whether we should introduce the new legislation giving local government to the people or renew the present Act. It was their choice that we introduce the new legislation. If there are changes to be made—undoubtedly there will be—we look forward to discussing with all of the people in all of the areas in Queensland the changes that they want made to the new legislation. Surely it was immensely preferable to introduce a new Act than to renew one which the Opposition has criticised so trenchantly for so long. It was the wish of the Aborigines and Islanders that the old Act be repealed. We have repealed it and replaced it with local government. They will now make their decisions.

The speech of the member for Cook, which continued for almost 40 minutes, was highlighted by personal attacks. I venture to suggest that his time would have been better spent discussing the Bill. However, when I peruse his comments on the Bill, I find that he had little to say. His colossal ignorance was revealed in the one or two comments that he made about the Bill. He said that there was no discussion paper on the Bill. At the same time, he accused us of not having the Bill written and, that it was only introduced into the House at 10 o'clock. He cannot have it both ways. He cannot say one moment that we had the Bill written and drafted two months ago and then the next accuse us of not having the Bill ready and written until 10 o'clock this evening. Which way does he want it?

The simple truth of the matter is that there was no discussion paper and no decision made on what was to be in the Bill until we completed the consultative process. It would have been extremely insulting if we had drawn up proposals before the people had had their say. That was the way in which we approached the subject. I can show anyone interested the reams of foolscap notes and the tape-recordings taken at all of our meetings. Those records were consolidated. A very clear picture resulted. They wanted the immediate take-over of their own land and private ownership of the houses and the village areas. They most certainly wanted local government as quickly as they could get it—"self-management", if that expression is preferred. That is what we are delivering with the Bill. I emphasise that, if we had not introduced the Bill, we would have delayed by another four, five or six months the handing over of the deed of grant areas.

The member for Cook accused us of being on a media stunt. In two months we travelled almost 200 000 km. During that time there was only one occasion when we were prepared to allow a TV camera or newsperson near any of the meetings. If we were performing for the media, that was rather a strange way to go about it. We had 30 or 40 requests from news crews to accompany us. We rejected all requests, with one exception.

An extraordinary charge was made by the member for Ipswich West. He said that we had discussed the matter with the Cattlemen's Union. Stations border on all of the reserve areas and the people on them are very concerned about tuberculosis and brucellosis eradication. We also are extremely worried about it. I went to each of the meetings and said, "These ideas are coming forward. How do you feel about them?" We took notes and counted votes at the end of the meetings on what we considered to be very important areas on which we needed guidance. We had exactly the same sort of discussions with the Cattlemen's Union and a number of other similar organisations.

An extraordinary comment from the honourable member for Cook was that because the Bill contains nothing about health or education, it is not services legislation. Those matters are purely administrative decisions. His remarks displayed a most extraordinary ignorance. I assure the honourable member that the intention of the Government is to return the administration of those services to the respective Government departments.

Mr Comben: When?

Mr KATTER: I hope to have discussions with the Islanders tomorrow to enable me to produce a timetable next week. I have adopted a policy of not making decisions without consulting the Islanders.

The only worthwhile comment in the entire contribution of the member for Cook was about the divisions. He made quite a valid point. The reason that the divisions were not laid down in the legislation—if he had any sort of a working knowledge of his electorate, he would know this—was that I was unsure whether I should make Tamwoy Town a separate local government area or keep it in the Thursday Island local government area. I would like to make that decision after I have discussed it with the people involved. Whether they are thrown in the one division with Bamaga and whether the northern islands

are split off into a separate division are matters that I would like to discuss with the Torres Strait Islanders before I high-handedly make a decision. The honourable member can rest assured that I will be considering the divisions and come up with something definite.

Mr Scott: You are going to allow the Tamwoy Town people to vote for the Torres Strait council?

Mr KATTER: I would like to discuss it with the Torres Strait Islanders and the Tamwoy Town people.

Mr Scott: And yet deny everyone else that right?

Mr KATTER: I will come to that point in a moment. I take the honourable member's sensible point about the divisions.

I am really appalled and surprised at the stupidity of the honourable member's remarks about local government areas. The legislation sets up local government areas. Obviously I cannot vote in both the Charters Towers and Dalrymple divisions. I cannot have two votes, which is exactly what the honourable member for Cook asked for. Obviously the people of Palm Island have their own local government area, the same as is provided in the legislation. I am appalled that five Opposition members did not have the intelligence to be able to read the Bill and understand that point. Surely not one member of the Opposition would propose that a person should be entitled to two local government votes, one in one shire and one in another.

I assure the House that the people on the Island Industries Board will be appointed and not elected. Once again, Opposition members have not read the legislation. The clause dealing with the IIB clearly states that the Island Co-ordinating Council selects those four people. Once again, Opposition members were very wrong.

Opposition Members also claimed that savings must be banked with the under secretary. Of course that is not the case. Nobody can be forced to bank anywhere. All the Government is doing is providing a facility if no other facility is set up. If someone refuses to set up a banking facility on one of the small islands, the Government has a responsibility to provide a banking service. This morning I had discussions with the Islanders and, at their request, amendments will be moved to that clause.

The Opposition claimed that there had been no negotiations. I sat down with the Islanders all morning and went over every clause in the Bill. That is only once. Throughout the rest of the year the legislation will be gone over many times and probably other things will be changed.

An Opposition Member interjected.

Mr KATTER: Because I did not have the Bill before. How many times do I have to say that before it penetrates the consciousness of Opposition members?

I must be honest and say that I am anything but happy with the clauses that deal with the sale of beer. That is one of the things that I will consider changing. The solutions are not easy. Anyone who knows anything about the reserves would know that.

Except from Government members, there was no talk at all about the necessity for training or support services. There was no talk at all from the Opposition about developing cattle operations. All the Opposition's contributions were negative. Opposition members said that the Islanders got nothing and that they needed special assistance, the implication being that they are lesser individuals than the rest of us. Every contribution from the Opposition was totally negative, which was very, very depressing for those on this side of the House. From the Opposition there was no hope, no light, no imagination and no movement forward.

Members of the Government spoke about the projects, the land, the incentives that the private ownership of land would create and the training and support schemes that need to be, and will be, set up.

The member for Cairns (Mr De Lacy) distinguished himself by calling for a Federal Government take-over of the reserve areas of Queensland. Well, that will hit all the newspapers. He will get plenty of publicity, and I am pleased that he is the one who will get it, not me. A Federal take-over of 7.5 million acres of Queensland, the excision of those areas from the map, and the people on them no longer being Queenslanders, is not what I would be advocating as a member of State Parliament. But let that be upon his own head. The people of Cairns will be very interested to hear that in the next few days.

The member for Southport (Doug Jennings) and the member for Fassifern (Kevin Lingard) mentioned people. They related to the people in the north and were able to quote names and talk about individuals. That was completely absent from any of the speeches from the other side.

Mr Comben interjected.

Mr SPEAKER: Order! The honourable member will cease interjecting.

Mr Comben interjected.

Mr SPEAKER: Order! I warn the honourable member for Windsor under Standing Order 123A.

Mr KATTER: Let me state again that the speeches by Mr Lingard and Mr Jennings were characterised by the fact that they knew the people they were dealing with. They had obviously established some rapport with them and they stood out in their memories.

Interestingly, the member for Mt Isa, after calling for the abolition of double-decks and the removal of the highway that would have wiped out Cloncurry and three other towns, disagreed with what was said by one of his Doomadgee constituents. One of his very important constituents, David, was up in the public gallery when the member made that statement. Obviously, the honourable member does not even know who the chairman of the Doomadgee council is. I am not surprised, because it was obvious that there was total ignorance from the Opposition. They had no working knowledge of or communication with and made no acknowledgement of individual people.

That was the other thing that amazed me in the debate. The ALP had no information at any stage of what the Government was doing. I was quite surprised that the Opposition spokesman, or whatever he calls himself, was not able to tell me anything about the Bill. I said, "You know what we are doing. We have made no secret of it. You should have your mind made up about it." It is interesting that the Opposition spokesman obviously had no lines of communication with any of the leadership throughout the black areas of north Queensland. I was very surprised by and interested in that lack of relationship.

Let me move on to the question of drink, which needs to be commented on. There are special laws on reserves. If they did not exist, frankly, not many of the canteens would qualify for a liquor licence under the Liquor Act. So obviously there has to be some special set of laws.

An Honourable Member: Why?

Mr KATTER: Because the canteens would not qualify for a liquor licence under the Liquor Act. Most of them are basically just galvanised iron sheds and would not qualify.

On two or three occasions when the grog situation on the reserve areas got out of hand, reports were made on the amount of meat sold in the butcher shops and the amount of food sold. Unfortunately, as the consumption of alcohol increased, the consumption of food decreased rather dramatically. Health Department reports on the state of health of the inhabitants as a result of that lack of food indicated that very serious problems arose.

Any member who knows anything about the reserve areas will realise that it is extremely difficult for the councils to regulate drinking hours. When they have to bite the bullet themselves, there is a good chance that they will be voted out at the next election by some of the more hard-drinking push on the reserve areas. Two or three councils have expressed a desire that the Government make that decision rather than them.

I take the arguments from the Opposition that it would be preferable for these people to be making their own decisions on drink, but it is not an easy or simple problem. It is compounded by the fact that teachers and nursing staff have walked out on one occasion, and on four separate occasions have threatened to walk out unless action was taken on the drinking problem. That is the background to that decision. I hope very much that it will be possible to change dramatically those sections of the Act in the not too distant future.

I pay tribute to the member for Roma (Russell Cooper), who was one of the very few speakers tonight who had some vision of the future. He painted a very exciting picture of the possibilities that will be created by this legislation.

The urban Aboriginal push, people in the ALP and the Federal Government will all engage in a massive campaign to try to destroy this legislation. That does not matter, because the machinery will be there. It will belong to the people. It will be utilised so

that the people can move forward, regardless of what any members of the Opposition think or say in order to try to save their own political hides. If I was as ignorant as the member for Cook, I would be running scared, as he is tonight.

For the member for Kurilpa (Ms Warner), who has a modicum of intelligence, to make the speech that she did really made me very sad. She spoke about hatred—class hatred and race hatred—and about people being down-trodden and walked all over. She asked for special rights and privileges for groups of people in society—all the things that create a very sad society.

An Opposition Member: Big white bwana speaks!

Mr KATTER: It is interesting that the honourable member said that. Because of my dark complexion and the fact that I come from Cloncurry, for the last 10 years in this place I have had to put up with constant racial taunts. Many of them are documented in "Hansard". If the people in the gallery think that Opposition members have no racist taints, I simply ask them to look in "Hansard" at some of the interjections that have been made while I have been speaking.

The White Australia policy did not come from our side of politics; it was dreamed up by the ALP. The famous—or infamous—comment of Arthur Calwell, who was the leader of the Labor Party for about 12 years, was, "Two wongs don't make a white." It was a magnificent pun but an appalling reflection of the attitude that is deeply inherent in the members of the ALP in Queensland.

Who was responsible for attempting to hand over the Torres Strait Islands to Papua New Guinea? Who was responsible for not handing them over? The Federal ALP was negotiating with Papua New Guinea to hand over the Torres Strait Islands. The intervention of the Queensland Government was the only thing that saved those islands from a fate that the people on the islands were not very keen to suffer.

The Act that Opposition members have condemned so roundly in this House for the last 10 years, and have tried desperately to keep in force, was not the Government's Act; it was theirs. It has been changed by us and, in my opinion, modified very dramatically by us on four occasions. Under the Act that the ALP introduced, when a person worked he could not get the money in his hand. He had to go cap in hand, sit in the sun all day and wait for some person to wander out of a court house to hand him his money. I thank the member for Townsville South for bringing that to my attention.

I have never been deceived by members of the ALP. In one town in north Queensland, I was called ugly names. The ALP-controlled local council tried to bulldoze down the Aboriginal camping reserve area. Three members of the executive of the National Party in that town stopped that bulldozing incident.

Mr Scott: Where was that?

Mr KATTER: I shall not mention the name of the town, because one of the ALP councillors is quite a nice fellow.

Mr Underwood interjected.

Mr SPEAKER: Order! I ask the member for Ipswich West to return to his usual seat before he makes any further comments.

Mr Scott: What town was it?

Mr KATTER: As I have said, I shall not mention its name. One of the ALP councillors is a racist, but, apart from that, he is not a bad sort of a bloke. I do not want to indict him the way he should have been indicted for that incident.

The member for Mt Isa (Mr Price) spoke about entry upon areas. He had a reasonable point, but he was speaking about the wrong section of the Bill. I thought that it was the first good point he made in his speech. Suddenly I realised that he was referring to the wrong section. As I was not clear whether he was complaining about a permit system or wanting a permit system, I cannot offer much comment.

The Government claims that the permit system has been abolished. The towns, streets and public places will be made open areas. The Government wants the people to be Queenslanders and it wants these areas to be the same as the rest of Queensland. When the deed of grant is declared, the reserve areas will become privately owned. The councils

will have the right, like any other private owner, to refuse entry to anyone. I hope that clarifies the position for the member for Mt Isa, but I wish that he had read the Bill so that I did not have to waste my time explaining.

The speeches by six Opposition members were identical. I wondered for a while where the brief was coming from and then I realised that two Federal Government employees were in the gallery and had distributed information to them earlier. So the Opposition members are now spokesmen for the Federal Government. Mr De Lacy is an advocate of Federal Government take-over. The Opposition carries not ALP briefs but Federal Government briefs. They want to sell Queensland off to Canberra. We have heard that right from the horse's mouth, so to speak, in the form of the member for Cairns. Any papers referred to by Government members were prepared by my department.

Mr Fouras complained about the deed of grant areas and referred to the five areas of concern raised by the Yarrabah council. Some of those points need attention and consideration. However, there is a reason for ministerial control over leases. If a council comprises a single family or tribe, it has the right, under this legislation, to lease all of the reserve area under its control. If one family controls the council, it can pass leases out—

Mr Scott interjected.

Mr KATTER: They own a perpetual lease. In Charters Towers, my house and mango orchard stand on a miner's homestead perpetual lease. The home I own in Cloncurry was on a miner's homestead perpetual lease.

Mr Scott: It is a deed of grant in trust.

Mr KATTER: It is a perpetual lease, which is the same lease that applies to a significant proportion of the surface area of Queensland.

I will continue to explain the very good point made by the member for South Brisbane. On the face of it, the Minister should not have the right to knock back leases and I admit that there could be a better mechanism. The committee has considered a number of different mechanisms and will continue to do so. Eventually, a far better arrangement will be reached. The ministerial control acts as a safety device. As I said, it is possible for a council, if it is controlled by one family, to parcel out the entire area to one person. In some cases, the reserves are as large as three-quarters of a million acres. It would be legal for them to do that.

Much comment was made about the right of the Governor in Council to dismiss the IIB. He can also dismiss a community council and appoint an administrator. The Governor in Council has that power over every board and every local authority in the State. I must say that the Government has no intention of using that provision.

The Government believes profoundly that the Aboriginal and Islander people should be treated no differently from any other person in the State. That is the logic behind the Bill.

Government members had a good giggle at the stupidity of Opposition speakers. It was claimed by five of them that people in the communities should have a vote in the local authority elections. That is ridiculous. It would mean that the people could vote for one shire council and, on the same day, vote at another polling booth, for another one. They could vote for the election of a shire council that is not in their area, to which they do not pay rates and from which they will receive no assistance. That is because they would be two separate local authority areas.

Mr Price: What will happen to the Doomadgee representative on the Burke Shire Council?

Mr Scott: And the Kowanyama representative on the Carpentaria Shire Council?

Mr KATTER: Opposition members have gone another stage and are claiming that not only should everybody get a vote in two local authority elections, but they should also sit on two shire councils. That is the most extraordinary thing that I have ever heard.

As for the honourable member for Salisbury—I have written down a series of words—"sneering abuse, predicting my demise." That was the sum total of his oratory. What a magnificent contribution!

In conclusion, I say that what this Bill does is deliver local government and give the Government the ability to declare deed of grant areas almost immediately, so that these people will own their own land, control their own land and be master of their own destiny, just like any other person in Queensland. I have every confidence that these people will move forward to a very bright future.

Question—That the Bill be now read a second time (Mr Katter's motion)—put; and the House divided—

Ayes, 40

Ahern
Alison
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby

Harper
Harvey
Henderson
Hinze
Jennings
Katter
Kaus
Lane
Lester
Lingard
Littleproud
McKechnie
Menzel
Muntz

Newton
Powell
Randell
Row
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

McPhie
Neal

Noes, 29

Campbell
Casey
Comben
D'Arcy
Davis
De Lacy
Eaton
Fouras
Gibbs, R. J.
Goss
Hamill

Kruger
Mackenroth
McElligott
McLean
Milliner
Prest
Price
Scott
Shaw
Underwood
Vaughan

Veivers
Warburton
Warner, A. M.
Wright
Yewdale

Tellers:

Burns
Wilson

Resolved in the affirmative.

Committee

The Chairman of Committees (Mr Row, Hinchinbrook) in the chair; Hon. R. C. Katter (Flinders—Minister for Northern Development and Aboriginal and Island Affairs) in charge of the Bill.

Clause 1—Short title—

Mr SCOTT (2.9 a.m.): The Opposition will not allow the title of this Bill to pass without comment. It has been shown clearly that this is not community services legislation. My Opposition colleagues have spoken extremely well on the Bill. We agree that the Bill is not community services legislation. What community is it for? The Government does not use the word "communities"; it refers to "areas". Later, Opposition members will refer to the people for whom the Torres Strait Islanders are entitled to vote. The Opposition wants them to be entitled to vote for the local authority. We are not dealing with local authority legislation. The Government is not making local authorities out of the communities. The Minister does not have the courage to do that. Had the Government done that, the Opposition would probably have very few objections to the Bill. The Opposition strongly objects to the title "Community Services (Torres Strait) Act 1984".

Mr KATTER: I do not accept that.

Question—That clause 1, as read, stand part of the Bill—put; and the Committee divided—

Ayes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby

Harper
Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz

Newton
Powell
Randell
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 29

Campbell
Casey
Comben
D'Arcy
Davis
De Lacy
Eaton
Fouras
Gibbs, R. J.
Goss
Hamill

Kruger
Mackenroth
McElligott
McLean
Milliner
Prest
Price
Scott
Shaw
Vaughan
Veivers

Warburton
Warner, A. M.
Wilson
Wright
Yewdale

Tellers:

Burns
Underwood

Resolved in the affirmative.

Clauses 2 to 4, as read, agreed to.

Clause 5—Savings—

Mr SCOTT (2.14 a.m.): I have a brief comment and direct a question to the Minister about the community at Bamaga. Both Aborigines and Islanders live at Bamaga. They will want to know the Minister's comment on the way in which that land will be divided up. There are Aboriginal communities at Cowal Creek, which is one of the oldest communities on the peninsula. It was one of the first areas in which Aboriginal people were drawn together under a church mission. Many years ago the State took it over. Then there was the infamous time when the Government closed down Old Mapoon at the point of a gun. Those people were moved from Old Mapoon to New Mapoon amid great protests. That reflects no credit on the Government at all. That was in 1964, quite recently in our history. Those people were moved by force to allow a mining company to proceed at Weipa.

Mr Katter interjected.

Mr SCOTT: The Government burnt the houses. The people were settled at New Mapoon.

The Government decided to establish the Saibai Island community at Bamaga, which was named after the chief of Saibai. There is also an island community at Seisia. So it goes Island, Aborigine, Island, Aborigine, Aborigine, and Umagico is an Aboriginal community.

Mr Lingard: You are wrong again, you silly galah.

Mr SCOTT: Don't take me on over my electorate. The honourable member does not know where they are.

The CHAIRMAN: Order! I suggest that honourable members speak to the clause under debate.

Mr Lingard: You forgot Cowal Creek, you galah.

Mr SCOTT: For the information of the Committee, we have the former principal of the Bamaga High School in the Chamber. I must tell a little story about how the Bamaga community got its piano. When the Premier visited that area he asked the school principal what the community would like. The principal asked for a piano, so the Premier provided one. The honourable member asked for that.

Mr LINGARD: I rise to a point of order. Those remarks are completely incorrect. I find them offensive and I ask that they be withdrawn.

The CHAIRMAN: Order! I do not think any offensive words were used, so I will not take the point of order.

Mr SCOTT: The Minister should be able to understand the difficulties of dividing the land in the Bamaga complex, which is known as the northern peninsula area. I am sure that the people at Bamaga would like to know how the Minister, in his wisdom, will do that. The Minister will be playing with their land. Does he intend to play draughts or checkers with their land?

Mr KATTER: I cannot accept the honourable member's remarks.

Clause 5, as read, agreed to.

Clause 6—Meaning of terms—

Mr SCOTT (2.17 a.m.): I wish to make a quick comment on the trust area, which is relevant to the fact that once again the Government has excluded these people from the mainstream of society and prevented them from voting in the adjacent local authority areas. The Government has settled on the ignominy of calling this a trust area. I want the Minister's explanation of why he has put these people down and called where they now live a trust area.

Mr KATTER: I will say for the seventh time—my patience is running a bit thin—
Opposition Members interjected.

Mr KATTER: It has taken about two hours for the honourable member to get into his consciousness that the legislation sets up local government areas. Obviously a person cannot vote in two local government areas. I do not think I need to say that again tonight. I certainly hope not.

Mr SCOTT: I ask the Minister as nicely as I possibly can: Why did he not call them local government areas. He cannot have it both ways. He should tell the people of Queensland why he is not calling them local government areas instead of the "area", as appears all through the Bill. I will continue to tell the Minister of the places where that word appears in the Bill.

Clause 6, as read, agreed to.

Clauses 7 and 8, as read, agreed to.

Clause 9—Agents of Department—

Mr SCOTT (2.20 a.m.): We have before us a number of ministerial amendments which show, once again, that this is poorly drafted legislation. I am wondering why the Minister has not amended this clause. He has already taken some notice of remarks made by members on this side and amended—

Mr Katter interjected.

Mr SCOTT: It is a fact. As I said, the Minister has amended some of the very minor objectionable things, so I suggest he take note of our comment about agents. Will he tell us why he is turning managers into agents. Once again, that term appears throughout the Bill. It will remain round the Minister's neck like an albatross because he is again writing down the Torres Strait Islanders by saying that the people operating under the under secretary will be called agents. The clause states that the under secretary may make arrangements with any person holding an appointment under any Act to be an agent. Why

the under secretary? Why not the Minister? The back-bench members of the Minister's committee said that there is no overt control by the under secretary. We heard a few nonsense speeches from them in which they repeated what the Minister told them. Why could they not speak for themselves? I could not help calling them sycophantic last Wednesday. The Minister should tell us why the managers are to be called agents.

Mr KATTER: It is very late at night. This clause is found in almost every Act, and simply enables all departmental officers to act for the responsible nominated person who is head of the department. It is simply an ordinary clause that is in every piece of legislation.

Clause 9, as read, agreed to.

Clause 10, as read, agreed to.

Clause 11—Visiting justices—

Mr SCOTT (2.23 a.m.): I have another question for the Minister. He is not doing very well with his replies so far, and if he is going to stonewall in that manner, we will continue our tactics. I know that that he is incompetent and does not know how to handle the Bill. I see that the Premier is watching his performance. I would not like to have the Premier breathing down my neck.

The CHAIRMAN: Order! The honourable member will debate the clause and not waste time.

Mr SCOTT: I take your point, Mr Row, but it would be helpful if the Opposition and the Torres Strait Islanders could obtain answers to sensible questions being asked in the proper place. We are debating the legislation and are entitled to ask questions.

My question is: How often will the visiting justices actually visit the communities? The Bill states that it shall be at least once in every three-month period. Will they visit every island community? Will they visit Bamaga and Tamwoy Town? Will they report back? Will it be possible for the people in those areas to see the reports? Will they be tabled in this Assembly?

The concept of visiting justices has been round for a long time, and in essence there is nothing wrong with it if it is done properly. I said during the debate on the second reading that it has not been done properly very often. If the new Minister controls the situation there will be occasions when they do visit the communities, but to state that they will visit each one every three months is a ridiculous provision. We are not in the business of hammering legislation into place. The Minister has said that this legislation will be amended before very long. What a ridiculous statement! Are we talking about this legislation or the legislation that the Minister has already foreshadowed in months to come? He hopes to be a fairly busy Minister. I can just see him trotting up and down the State.

Mr KATTER: I rise to a point of order. That has absolutely nothing to do with the clause.

The CHAIRMAN: Order! I have already asked the member for Cook to concentrate on the clause and not on personalities. If he continues to introduce personalities, I shall deal with him.

Mr SCOTT: The Minister is the one who referred to his complexion. He did not say that he is thin-skinned, but obviously he is.

If he can give me an undertaking about when these visits will take place, I will be very happy. Why will the visiting justice have to report to the under secretary as soon as practicable? The visiting justice will take inquiries about the council. This is the almost local authority council—the Clayton's council—the local authority that the Minister is not prepared to spell out.

That visiting justice will report on those councils. The Minister has said that there is equality under this legislation. Do visiting justices report on local authority councils throughout the State? I will answer that question: they certainly do not. The Minister is imposing visiting justices on people. In another breath he says that these people have equality. They have not got equality. Previously the Minister tried to tell me that this legislation is giving them equality. It is not, because visiting justices will be reporting

on them. That is not a good state of affairs. The fact that the visiting justice reports to the ubiquitous under secretary is even worse. I ask the Minister to answer this question: Will the councils be given the opportunity to see the reports of the visiting justices?

Mr KATTER: The visiting justices system is a hangover from the old days when managers had tremendous powers and controls that really were dangerous. It will be a safeguard in case a council suddenly decides to allow justices of the peace to hear cases and to pass out judgments that are excessive. There is some small value in the provision relating to visiting justices. To a very large degree it is an anachronism. The provision is in the legislation because it may have a modicum of value, particularly in respect of excessive penalties imposed by the local courts.

Mr SCOTT: That is one of the greatest insults that I have ever heard the Minister level at those people. He said that it is an anachronism and that he intends to leave it in the legislation. That proves that this is the legislation that has been in operation for 25 years. The Minister is only glossing over it. It is all an anachronism. The fact that the Minister has such legalistic control over these people is an anachronism, and he will have to answer for that.

Mr FOURAS: Paragraph (d) of subclause (2) states that the visiting justice shall—
“report to the Under Secretary as soon as is practicable after completion of his visit on—

- (i) administration of the area; and
- (ii) matters that in his opinion affect the welfare of the residents in the area;”.

Then it states—

“(iii) such other matters as the Under Secretary requests.”

The Minister said that it is an anachronism, yet he will give the visiting justice the right to report on these local councils. The visiting justice will be asked to report on such other matters as the under secretary requests. Perhaps I should move that that provision be deleted. So that I will not have to do that, will the Minister explain why that catch-all clause is included? It is absolutely scandalous.

Mr KATTER: I do not want to be unfair and say that the honourable member's argument has no merit; but some very ugly incidents have occurred as a result of harsh penalties being imposed by the local courts. These areas are different from other areas in that they have their own local court system. They have by-law making powers that are far more extensive than by-law making powers in other areas.

There are a number of reasons for the differences. Grave dangers can be created and that is why the clause relating to visiting justices has been retained. Problems have not arisen in recent years, and I hope that they will not occur. In that event, the clause can be deleted in the not too distant future. At this stage, it would be irresponsible to remove it completely.

Mr FOURAS: I am not suggesting that the clause be deleted. If the visiting justice considers that certain matters will affect the welfare of the residents in the area, he has the right to report. It is the other catch-all clause that concerns me. It allows the under secretary to give the visiting justice matters to investigate and ask him to report. The Minister has missed my point and he does not understand what he is talking about. That part of the clause should be deleted because it is ridiculous.

Mr SCOTT: I dissociate myself from the Minister's remarks about what he claims goes on in the communities. I do not know whether he is telling the truth, because in his reply to the second-reading debate he said that wherever he went in the communities he found the people to be law-abiding and peaceful. That is my experience. This clause is demeaning and the Minister admits that it is an anachronism. He cannot tell the Chamber whether or not the justices will visit the areas every three months and he does not know how many communities, or areas, as they are called, are involved. He does not know very much about the role of the visiting justices. Will he answer my question about whether or not the councils will be able to see the adverse reports made about them?

Mr KATTER: That does not call for an answer.

Mr UNDERWOOD: When is the Minister going to begin answering the difficult questions put to him by the member for Cook? Will the councils be able to see the adverse reports? Yes or no?

Mr KATTER: I gave a very full and frank explanation that more than covers the question asked.

Mr UNDERWOOD: Is the answer "Yes" or "No"? The Minister is refusing to answer the question, just as he refused to answer questions on the other clauses. He complains that the lateness of the hour is an excuse for not answering the question. He, not the Opposition, is responsible for the late sitting. He is just refusing to answer the question.

Clause 11, as read, agreed to.

Clause 12—Official inquiries—

Mr SCOTT (2.33 a.m.) Mr Row—

A Government Member: It's a long way to clause 83.

Mr SCOTT: Yes, it is a long way to clause 83; but when the Government brings in legislation of this nature at this hour, the Opposition will debate it clause by clause.

Opposition members foreshadowed that they would pay attention to this terrible clause. We do not like any part of official inquiries through which the Governor in Council may authorise any person to make and hold inspections, investigations and inquiries for the purposes of the Bill as he considers desirable. The clause refers to the Commissions of Inquiry Acts. Under that legislation, a person making inquiry had only to obtain a warrant from a justice of the peace and he could enter any house or go anywhere. This clause operates in much the same way. It is not good enough that the people on the communities can be investigated in this way.

I therefore move the following amendment—

"At page 5, omit all words comprising lines 38 to 44 and at page 6, omit all words comprising lines 1 to 6."

Mr KATTER: I do not accept the amendment.

The CHAIRMAN: Order! The correct procedure is for the honourable member for Cook to vote against the clause. There is no provision that allows an amendment to delete a clause from a Bill.

Mr Scott: Does the Minister accept the amendment?

Mr KATTER: No.

Question—That clause 12, as read, stand part of the Bill—put; and the Committee divided—

Ayes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby

Harper
Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz

Newton
Powell
Randell
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:
Kaus
Neal

Noes, 29

Campbell
Casey
Comben
D'Arcy
Davis
De Lacy
Eaton
Fouras
Gibbs, R. J.
Goss
Hamill

Kruger
Mackenroth
McElligott
McLean
Milliner
Prest
Price
Scott
Shaw
Vaughan
Veivers

Warburton
Warner, A. M.
Wilson
Wright
Yewdale

Tellers:

Burns
Underwood

Resolved in the affirmative.

Clauses 13 and 14, as read, agreed to.

Clause 15—Incorporation of Island Councils—

Mr KATTER (2.41 a.m.): I move the following amendment—

“At page 6, line 30, omit the words—

‘a common’

and substitute the words—

‘an official’.”

That is the more acceptable legal terminology.

Mr HAMILL: Clause 15 is a classic case of the slipshod legislation that is introduced in this Chamber. Yesterday the Opposition was presented with this Bill and given a very short time to consider it. This evening we will debate it in detail. We have reached the Committee stage and the Minister has produced a couple of pages of amendments. If ever there was a Bill that should have stayed on the table so that it could be discussed, as the Opposition suggested yesterday, this is a classic example. The Minister deserves the greatest condemnation for moving the amendment. He has not put sufficient time into this legislation. He said that it took 40 hours to bring this piece of paper before us. It will take us longer than 40 hours to take account of all the errors that are in it.

The CHAIRMAN: Order! I remind the honourable member for Ipswich that the Standing Orders were varied yesterday to cover the situation about which he complains. The decision was carried by a majority of the House.

Amendment (Mr Katter) agreed to.

Clause 15, as amended, agreed to.

Clauses 16 and 17, as read, agreed to.

Clause 18—Voters' roll—

Mr SCOTT (2.43 a.m.): The Opposition intends to move an amendment to clause 18. The Opposition is not in the business of tidying up the Government's legislation. It will allow the Minister to fix up the grammatical mistakes and the wrong choice of words. He can discuss them with the school principal. He is rushing over to the National Party Whip.

A Government Member interjected.

Mr SCOTT: I am making sense.

The CHAIRMAN: Order! On several occasions I have asked the member for Cook to concentrate on the clauses that are being discussed and not to indulge in personalities. If he does it again, I will take action.

Mr SCOTT: I am watching the legislation very closely because the Opposition wants to salvage something out of it. There is no doubt about that. It is quite common for personalities to be mentioned by Government members, and that does not really worry them. The Opposition wants to delete the reference to the regulations. A token effort is made to bring the councils a little closer to being local authority areas. The Minister has done

nothing in that regard except to establish a voters' roll. The previous clauses relating to incorporation, the tenure of office and the terms for election of councillors appeared in the old legislation. The people are quite capable of establishing their own voters' rolls.

We are not happy about the phrase "if the regulations prescribe". I said at the second-reading stage that there will be 30 pages of regulations which have not yet been seen. They have not been seen by the Torres Strait island people. They have not been seen by anyone concerned with the Bill.

This is a most important clause. It provides for the voters' roll—the one that the Government tells us takes them so close to local government that it does not matter so they do not need to be able to vote on any other council. However, the Government qualifies it. It sets them up as separate citizens who are not treated in the same way as other citizens. The Government says that there will be a voters' roll which will list those people in "the area", as the Government loves to call it. The Government further says "if the regulations prescribe" and "with the provisions of the regulations". Once again, that throws the argument back in the Minister's face. He is not treating all people equally.

Therefore, I move the following amendment—

"At page 7, omit all words from and including 'or' in line 20 to and including 'regulations' in line 21."

Mr HAMILL: The amendment moved by the member for Cook is very important. If agreed to, it will safeguard rights that we believe are under threat by the legislation. If we believed the Minister's statement that what is being done is setting up local authorities, we would expect that those local authorities would be subject to the provisions of the Local Government Act.

Government Members: No.

Mr HAMILL: I thought that would have made sense even to members opposite.

The clause says that voters' rolls will be compiled in accordance with the provisions of the Local Government Act. What is most alarming and dangerous is that the words which follow allow the Local Government Act to be overridden by regulations that might well be framed under the Bill. In clause 81, there is a very clear regulatory power of great import to clause 18. It provides—

"... the franchise for elections of those councils and the conduct of those elections—"

is subject to regulatory power. If that is so, what is to stop the Minister or an authority under this Bill—

The CHAIRMAN: Order! It is difficult enough to understand the member without the interference. I ask honourable members to hear him in silence.

Mr HAMILL: What is to stop the regulatory power under the Bill being used to disfranchise people who would otherwise be entitled to be included on a roll for local government purposes? That is a very dangerous provision. If the Minister is really serious about ensuring that there will be a franchise for local authorities, why does he not accept it that the franchise that is granted—

Mr FOURAS: I rise to a point of order. It would be appreciated if I could hear the member for Ipswich make this valid point.

Government Members interjected.

Mr FOURAS: I say to members opposite that they are behaving like a flock of galahs. They are giggling like schoolchildren.

Government Members interjected.

The CHAIRMAN: Order! The Chamber will come to order. I have already asked for silence in order that the member on his feet may be heard. I insist upon silence from both sides of the Chamber.

Mr HAMILL: Thank you, Mr Row.

The point is very clear. We are concerned to ensure that the right of these people to vote is guaranteed. The way the clause stands, the right to vote, even in council elections, is not guaranteed. It can be subject to some quite arbitrary power. This is a most pernicious clause and I have much pleasure in supporting the amendment moved by the member for Cook. We are concerned about people's individual rights. This is a classic example of regulatory power being capable of taking away those rights of individuals—in this case, the rights of Torres Strait Islanders—in a manner not applicable to anyone sitting in the Chamber. None of us would have their rights to vote subject to such a potentially dangerous regulatory power. Therefore, it is quite unacceptable to the Opposition.

Mr KATTER: On two occasions this evening I have assured honourable members that the regulations will be in line with the Local Government Act. A problem with communications with out-stations will probably necessitate some special regulations to take those things into account. That is the only reason the clause is in the Bill.

I cannot comment on what the honourable member for Ipswich said because I do not understand any of it.

Mr HAMILL: I will try to illuminate it for the Minister. He said he did not understand. The Minister has spoken about a lack of consciousness on the part of members of the Opposition; perhaps he has some trouble with consciousness.

Mr COMBEN: I rise to a point of order.

The CHAIRMAN: Order! The Chamber will come to order. I ask honourable members to resume their seats. Before I take any more points of order, I want it clearly understood that I cannot hear a word that the honourable member for Ipswich is saying. Therefore, I want complete silence in the Chamber. I suggest to the honourable member for Ipswich that he might consider desisting with this futility.

Mr HAMILL: The last thing I want to do is desist from speaking to such an important matter as the franchise rights of individuals.

Mr DAVIS: I rise to a point of order on behalf of the honourable member for Ipswich and other members of the Opposition. Mr Row, I take objection to the way you spoke.

Mr R. J. Gibbs: You cast aspersions on those people.

Mr DAVIS: Things are a bit weak in this Chamber when a member is told to sit down because he cannot be heard.

The CHAIRMAN: Order! I call the member for Ipswich. The fact of the matter is that I do not think anybody can hear or appreciate what is being said.

Mr R. J. Gibbs: You should apologise.

The CHAIRMAN: Order! I warn the honourable member for Wolston under Standing Order No. 123A for reflecting on the Chair.

Mr R. J. Gibbs: But you did cast aspersions.

The CHAIRMAN: Order! The honourable member can now leave the Chamber.

Mr R. J. Gibbs: Thank you very much, I will. But you did cast aspersions.

Whereupon the honourable member for Wolston withdrew from the Chamber.

Mr HAMILL: When the cacophony dies down, perhaps honourable members opposite might be able to understand the important point that I am making.

A Government Member: You are speaking too fast.

Mr HAMILL: I am sorry that I am speaking too fast. I know it is late and I know that the consciousness of those opposite is being dented. However, the point is that under the clause the franchise of the Torres Strait Islanders is placed in jeopardy because, unlike what applies to all honourable members who can vote at the triennial local authority elections, the right to vote for the Island Councils can be circumscribed by the regulatory power that is tacked on to the end of the clause.

As I said earlier, a regulatory provision that appears later in the Bill allows the Minister to set certain conditions upon the franchise rights of the Islanders. When that sinks in, members opposite might realise that this provision brings the whole franchise in this State into ill repute, because the Government is saying that for certain people in this State the same guarantees to the right of franchise will not apply. That is a disgraceful provision which should be struck out of the clause.

Question—That the words proposed to be omitted from clause 18 (Mr Scott's amendment) stand part of the clause—put; and the Committee divided—

Ayes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby

Harper
Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz

Newton
Powell
Randell
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 28

Campbell
Casey
Comben
D'Arcy
Davis
De Lacy
Eaton
Fouras
Goss
Hamill

Kruger
Mackenroth
McElligott
McLean
Milliner
Prest
Price
Scott
Shaw
Vaughan

Veivers
Warburton
Warner, A. M.
Wilson
Wright
Yewdale

Tellers:

Burns
Underwood

Resolved in the affirmative.

Clause 18, as read, agreed to.

Clause 19—Relationship of Island area to Local Authority Area—

Mr SCOTT (2.59 a.m.): Once again this is a provision that really reflects the Government's opinion of Aboriginal and Islander people. Opposition members have canvassed it fairly well, and I do not want to repeat everything that I have said, but it is a denial of freedom. It is stopping those people from voting at local authority elections, which they have done for years. It is no good the Minister's claiming that what he has appointed are proper councils. If the Minister had the intestinal fortitude to say that they would be called local authority areas, everything would be all right, but he has used only the last word—"area". As I have said on so many occasions this evening, the Government is preventing those people from voting in the various local authority elections. It is denying them representation on local authorities. Mr Jimmy from Kowanyama will be denied his position on the Carpentaria Shire Council. The councillors from Doomadgee will be denied their positions on the Burke Shire Council. The people on Palm Island will not be able to vote in the Townsville City Council elections.

It is not only unfair; it is a denial of freedom. The Minister is treating those people as second-class citizens. He has not given their councils the proper authority that local authorities in Queensland have. On so many occasions we have shown that the Minister has not done that. Now he seeks to prevent the Aboriginal and Islander people from voting in local authority elections.

The Minister for Local Government, Main Roads and Racing has left the Chamber for the moment, but it will be interesting to see what happens if he holds an election for a councillor in the Cook shire. From about 1956, that shire had not had an elected council; nor has the Torres shire. One of the reasons that has been put to me is that National Party people are worried about the vote of the Aboriginal people at Lockhart River and Hope Vale. Under the present legislation, they are entitled to vote in those elections.

Mr Glasson interjected.

Mr SCOTT: That is what I have been told by National Party people. I cannot help it if they hold wrong ideas. Aboriginal people should have the right to vote for whomsoever they like.

Mr McLean: What you are saying is not as important to the Premier as the "Daily Sun"?

Mr SCOTT: The Premier's attitude towards Aboriginal and Islander people is well known. He denigrates them at every opportunity he gets.

Because we believe that certain parts of this clause should be removed, I move the following amendment—

"At page 7, omit all words comprising lines 26 to 40."

Mr HAMILL: I rise to support the amendment. The member for Cook has moved an important amendment, particularly when one considers the provision in clause 18 that the Committee has just passed. The provision in clause 19 is even more distasteful than the provision in clause 18. The provision in clause 18 potentially takes away the rights of the Torres Strait Islander people. The provision in clause 19 is in fact taking away the right of the Torres Strait Islander people to vote in a recognised local authority under the Local Government Act.

The Minister has a strange, hypocritical attitude about local authorities in Queensland. He talks about shire councils and local government areas. As the member for Cook so ably pointed out earlier, what we are really speaking about in this Bill are not local government areas, shire councils, town councils or city councils but areas in trust.

Mr Scott: The Premier is leaving.

Mr HAMILL: He is not interested in questions of electoral justice or democracy, nor in the rights of Torres Strait Islanders.

Mrs Chapman interjected.

Mr HAMILL: I thought that the member for Pine Rivers would have some concern for the rights of rate-payers and people in local authorities. She does not care one iota about the rights of people of Torres Strait Islander descent who are now being expressly excluded from voting in local authority elections in Queensland.

Mrs Chapman: How often have you voted in local authority elections?

Mr HAMILL: Probably not as often as the honourable member has voted in local authority elections.

Mr Casey interjected.

Mr HAMILL: I am surprised that she can count to 35.

If the Minister was setting up authorities that could be recognised under the Local Government Act, we would have no complaint. As it is, he is setting up something akin to the apartheid system in South Africa.

A Government Member: Rubbish!

Mr HAMILL: Instead of calling them Bantustans, let us call them "Katterstans" and take the vote from them, as the Minister is doing. It is a disgusting provision that will hang around his neck like an albatross.

Mr GOSS: As I have not spoken for a couple of hours, I think it is time that I made another contribution to the debate on this Bill.

This clause is a further manifestation of the confidence trick and betrayal of trust perpetrated by the Minister. On Thursday night and Friday morning he has protested loudly and asked, "What would we have? We would have people voting in two council elections. We would be giving them double rights, as it were." The Minister knows that that is quite a facile and false argument. It is designed only to confuse people and lead them to believe that the Island Councils that the Bill will create are on a par with, or equivalent to, shire councils and other councils. They are not. They are not the same as the Aurukun, Mornington and other councils; they are a lesser creature. The Minister knows that well.

As has been stated by previous Opposition speakers, the object of this clause is to disfranchise black people in Queensland at one level of government. I am sure that the Minister would like to achieve the same objective at other levels of government, and I have no doubt that he and his colleagues are directing their minds towards that end.

The Government is displaying an attitude of disrespect and distrust for the black people. That is very disappointing. I am sure that, when black people realise this, the slide of this Minister will be hastened.

Mr UNDERWOOD: Some substantial arguments have been put forward by Opposition members in the debate on this clause and the amendment that has been moved. However, once again, the Minister remains seated and will not answer those arguments. What is wrong with him? All night, he has told honourable members how much he knows about this legislation and that he has all the answers. Quite obviously, he does not have all the answers and he has nothing with which to rebut the Opposition's argument. The Opposition's argument is substantiated, and the Minister cannot answer it. Will he answer it? No. Again, he sits there like a dummy.

Mr Katter: I have answered it seven times tonight. I am not going to explain it again.

Mr UNDERWOOD: Why does not the Minister try to defend himself and explain it? His position is indefensible.

A Government Member: He cannot explain it to a galah like you.

Opposition Members interjected.

The CHAIRMAN: Order! Unparliamentary remarks are being made by members on both sides of the Chamber. Such remarks will cease.

Question—That the words proposed to be omitted from clause 19 (Mr Scott's amendment) stand part of the clause—put; and the Committee divided—

Ayes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby

Harper
Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz

Newton
Powell
Randell
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 28

Campbell
Casey
Comben
D'Arcy
Davis
De Lacy
Eaton
Fouras
Goss
Hamill
Kruger

Mackenroth
McElligott
McLean
Milliner
Prest
Price
Scott
Shaw
Vaughan
Veivers
Warburton

Warner, A. M.
Wilson
Wright
Yewdale

Tellers:
Burns
Underwood

Resolved in the affirmative.

Clause 19, as read, agreed to.

Clause 20, as read, agreed to.

Clause 21—Appointment of Administrator—

Mr SCOTT (3.13 a.m.): Because of this clause, I can imagine administrators continually popping in and out of councils. I know what will happen.

Mr Katter: You have less faith in the people than we have.

Mr SCOTT: No, I have no faith in the department. I am pleased that the Minister made that remark at a time when I can reply to it.

I have complete faith in the people. But I do not have faith in the amount of training that the people have been given for their new roles on the councils. If it was not for the present Federal Government, the community councils would not have clerks. This Government has denied the councillors the facilities that they should have available to them. As I said in my speech at the second-reading stage, the Government has not provided them with office facilities, they are not paid at a proper rate and they are not provided with any of the services that Queensland local authority councils have. The Premier must have something to do with that.

Mr Lane: Do they pay rates?

Mr SCOTT: That is an irrelevant question. The Bill says that they do not pay rates, so the Minister for Transport should not try to get at me through the Bill. I have not prepared the legislation, but the Opposition will be preparing it very soon.

Over the years, the Government has not done anything to transform the councils into proper councils. The councillors have not had the full experience of working as councillors. The Government is now thrusting the people into what supposedly is self-management but they have not had the necessary practice and, on occasions, the councils will not perform very well.

I am worried also about the type of administrator to be appointed. The communities have had administrators for years, and they have been officers of the Department of Aboriginal and Islanders Advancement. I would like to know the level of agents to be appointed as administrators on various occasions. The Bill does not say what sort of person will be able to discharge and exercise the duties of an administrator.

Let us hope that it will not be, say, the manager for the time being on Thursday Island who will go into those councils and be the administrator. Will it be an officer from the Department of Local Government in Brisbane? The Minister should do the right thing and give an undertaking that it will be somebody from the department so that the persons will receive some training in the operations of the council. That is one matter that does not feature in the provisions of the Bill, other than in regard to the provisions to which the Minister has stuck relative to the voters' roll and the relationship of the island area to the local authority area.

There is no involvement of the Local Government Department. The Minister for Local Government, Main Roads and Racing (Mr Hinze) is probably breathing a sigh of relief, if that is what I can see.

Mr Hinze: Are you looking at me?

Mr SCOTT: Yes. Is that why he has not allowed the Minister for Aboriginal and Island Affairs to make the councils into proper local government areas? Did the Minister for Local Government successfully fend him off? Would the Minister for Local Government not allow these matters to be brought within the ambit of his responsibilities? I can see the gleam in his eyes. I have tapped the nerve of the National Party. The Minister for Local Government has said, "I don't want a bar of them." It is a very sad state of affairs. I am certain that officers in the Department of Local Government would be——

Mr Hinze: I could take over another 26 local authorities.

Mr SCOTT: The Minister could?

Mr Hinze: Yes.

Mr SCOTT: The Minister for Local Government should tell the Minister for Aboriginal and Island Affairs. Is that a threat?

Mr Hinze: Yes, we will.

Mr SCOTT: I am not unhappy to hear that. The Minister for Local Government is considered by some members of this Chamber to be a fairly competent Minister; but when one looks at the pool of Ministers with whom we deal, one sees that there is not much competition.

I am trying to relate the role of the Minister for Local Government to this provision. I would like to see local government administrators come into these councils on what I hope will be rare occasions—I fear that they will not—when councils are dismissed under clause 21, "Appointment of administrator"

Mr GOSS: The point I want——

Mr Hinze: Hope springs eternal.

Mr GOSS: Hope springs eternal in the young man's breast. I am sure that the Minister for Local Government forgot about that a long time ago.

Clause 21 deals with an absolute discretion on the part of the Governor in Council. He has a fairly abysmal record when it comes to making fair and impartial decisions based on the evidence. That is my concern about clause 21. The absolute discretion is absolute power. The Government is saying to the black people of Queensland, "Trust us." How could they trust this bunch, this lurching caravan of characters who make all sorts of decisions not based on rhyme or reason, as I see the record. I do not think that the black people of Queensland have any basis on which to trust those people.

While the Government has this further specific power under clause 21, it will be able to hold it over the head of the black communities, and that will impair and hold back the development that has been long overdue. The Government has been responsible for holding that back for many years. Until the Government gives those people some real independence both administratively and economically, they will not progress to the level at which they should be today; they will continue to be held back. If the Minister was honest with the people and if he was prepared to take them into his trust——

Mr Lane: Talking about economic independence—would you cancel the social security benefits for the Torres Strait people?

Mr GOSS: No. I am talking about giving them real economic independence. I am talking about the Government's responsibility to provide the proper basis for employment and the proper basis for long-term economic independence. It behoves the Minister for Transport, as a Minister of the Crown, to make serious rather than flippant suggestions. I know that it is late and that he is tired, but if he can get the grey matter working, we will get much further.

Mr Lane: If you chased ambulances for a living, you would do a lot better.

Mr GOSS: Mr Row, may I defend myself against that outrageous interjection, or is it outside the realms of the debate?

The CHAIRMAN: Yes.

Mr GOSS: Thank you, Mr Row. I certainly do not chase ambulances, other than in cases in which my clients or other people's clients have come into the clutches of persons such as the member for Merthyr in his former career. Many of those people ended up in ambulances, and we all know why.

I return to the legislation. If the Minister and the Government were seriously prepared to take the people into their trust, there would not be an absolute discretion; there would not be the blank-cheque power to dissolve a council. The Government would set out in clear terms the serious circumstances under which it would act. It would set out in clear terms the criteria to apply before that power would be used.

The other thing the Government would do if it were serious about giving people independence and serious about the viability of councils would be to spell out the criteria to be applied if such a serious circumstance arose and make the period limited. Instead of giving itself the option of making it one, two or three years, the Government could set a limited period of a couple of months. Surely that would be sufficient to allow it to sort things out and order a fresh election. They are the sorts of considerations the Government would be including in the Bill if it were serious about handing over real power and real independence to the people.

Mr Underwood: Ask him to respond to the Opposition, for a change.

Mr GOSS: That is entirely a matter for the Minister. On a number of occasions he has chosen not to do so. Probably there is a significant reason for that.

Mr KATTER: I should not really comment upon this. We have seen more extraordinary occurrences tonight. The Opposition has asked that these people belong to two shire councils. These people are very strong men in their own area. If they were suddenly put into someone else's shire council, as members opposite suggest tonight, it would be quite extraordinary. Obviously, members opposite do not understand reserve areas at all.

The clause with which the Committee is dealing is identical with the provision in the Local Government Act. Once again, the Opposition is asking for special provisions and special rights—something entirely different. The Opposition should not condemn the Government for doing something such as that when it is doing it every inch of the way this evening. I repeat that this is the same provision as appears in the Local Government Act.

Mr GOSS: I will respond briefly to that, although I do not wish to take too much of the Committee's time. In response to the comment just made by the Minister, I say clearly and categorically that special advantages are called for. I am talking about positive discrimination to make up for the discrimination in which the Government has engaged in the past. It is necessary to make up some leeway to give people an opportunity to draw level.

Mr SCOTT: The Minister has not answered any of the questions. Will he tackle the question about the style of person who will be put in as administrator?

He made an untrue remark about people belonging to two shire councils. Nowhere in the Bill does even the Minister have the hide to claim that they are shire councils. However, he used the words "shire councils", and his words will be transmitted round the Torres Strait. Those words are untrue. Every time he is up there, does he want to be asked, "Why aren't we shires? You said in Parliament that we are. We have read your words." I suggest that, in the interests of his own moral safety, he no longer use the expression that the people would belong to two shires. It is simply not true.

Will he answer the question about the level of person who might become an administrator?

Mr KATTER: Unlike the member who has just resumed his seat, I do not look forward to appointing administrators. If the need to do that does occur, the person appointed will certainly be competent. The member can be quoted as having said tonight that he expects them to be in and out like yo-yo's.

Mr UNDERWOOD: I would like to respond to a remark the Minister made in reply to the member for Salisbury. Basically, the member for Salisbury called for catch-up, positive discrimination. The Minister's response was that he would broadcast it. I did not quite catch which newspaper, or whether he indicated that he would broadcast it all round the north. He might like to clarify that. That was an amazing statement from the Minister,

who is responsible for the welfare of Aboriginal and Islander people. I challenge him to tell the Chamber whether he believes that people living on reserves have an equal opportunity in employment, housing, water—

Mr Katter: This has nothing to do with the clause.

Mr UNDERWOOD: It was the Minister, not me, who raised the issue on this clause.

Do these people have an equal opportunity to enjoy reticulated water, sewerage, education, communications, such as basic television, radio, newspapers and telephones, and entertainment? Does the Minister believe that the people on the reserves have the same access to those facilities as the remainder of the Queensland community? The Minister should not sit there pulling on his ear. I want to know whether the answer is, "Yes" or "No".

Mr Katter: It has absolutely nothing to do with the clause.

Mr UNDERWOOD: The Minister raised the issue in the debate on this clause.

Mr KATTER: I will not answer it.

Mr UNDERWOOD: Because it is not true, of course the Minister will not answer it. It is a lie; it is not true.

For the Minister to threaten the member for Salisbury because he called for positive discrimination for the people living on reserves, who lack basic equality, is a disgrace. Because the Minister does not have the welfare of these people at heart, he should resign. The Minister took a sacred oath to look after them, and he is in breach of his sacred oath. He is a disgrace.

Mr HAMILL: I am disappointed that the Minister has been struck dumb on this clause. Quite often he is ready with a witty reply and an encouraging comment for those who take an interest in his portfolio.

Clause 21 contains a very important point. The Minister has been asked the question repeatedly and I would have thought that he would give a straight answer. He has told the Chamber that his communication with the Islanders in relation to this legislation has been both worth while and meaningful, and I am disappointed that he does not use the same talents this evening, because the Opposition wants to try to undertake some worthwhile communication.

The point I want to raise in respect to the appointment of an administrator is very important. From time to time the Minister for Local Government has had to move because of problems with local authorities in different parts of the State. The Gold Coast City Council was involved when a former member of this place, who was at the same time mayor of the Gold Coast and obviously was able to undertake both jobs, had some trouble with the members of his council and, as a result, an administrator was appointed to the Gold Coast City Council.

The Minister has said that he really does not think that this would happen too often in the Torres Strait islands. However the provision is in the Bill and the Opposition believes that it is just and legitimate to question the Minister, particularly as an administrator could have to be appointed to one of these areas which have Island Councils but are not under the Local Government Act. The Minister has tried to suggest that they will be pseudo local authorities, so surely it is reasonable to ask the Minister to give the Committee some sort of guarantee about what will happen in the unhappy event of an administrator having to be appointed.

Mr FitzGerald: Make your point!

Mr HAMILL: I am. It is very clear that the Minister's consciousness has not been very acute this morning. He has not been responding to this very important point about the appointment of an administrator.

Could that administrator be appointed from the Department of Local Government because, if the legislation deals with local authorities as the Minister has tried to suggest—although other clauses in the Bill suggest that the legislation deals with a different creature altogether—surely it is only reasonable to expect that the Department of Local Government should be the body to have a direct input into the good government of these Island

Councils. I ask the Minister to snap out of his unconsciousness and answer the question: Would he, through the Governor in Council, have an administrator appointed from the Department of Local Government?

Mr KATTER: I answered the question earlier.

Mr HAMILL: I am sorry. I might be hard of hearing, but I did not hear the Minister answer the question. Would he be so kind as to give the Opposition the benefit of his knowledge in this regard, because I am sure that Opposition members are waiting with bated breath for his pronouncement.

Mr SCOTT: I am certainly waiting with bated breath. We are up to clause 21 and the Minister has not yet attempted to answer a question.

Mr Wharton: You don't speak to the clauses.

Mr SCOTT: Opposition members are speaking to the clauses. We are trying to get answers from the Minister. He is denying the people of this State the opportunity of hearing his words. He does not have the courage to stand up and defend his legislation. The Minister is wondering why we are here at this late hour. I will tell him. It is because he will not do his job. He does not have the competence to do his job.

Clause 21, as read, agreed to.

Clauses 22 and 23, as read, agreed to.

Clause 24—Provisions concerning making of by-laws—

Mr SCOTT (3.31 a.m.): We are in the unhappy situation again of trying to knock this legislation into some sort of shape. I say again that it is a shocking piece of legislation. The unfortunate part is that Government members for whom I have some regard have tried continually to tell us that this is the equivalent of local government legislation. Each time I have answered that it is not local government legislation, and nothing like it. The clause provides that the by-laws shall be submitted to the Minister for the approval of the Governor in Council—patronising, paternalistic stuff again. Why do they not have the rights of ordinary councils?

The Minister has spent a great many hours of yesterday evening and early this morning telling us that he is making out that they are shires. He has said that they cannot live in two shires. We have said that they are not living in two shires and that they are not even getting close. They still live in one shire, the shire that is properly constituted by the Local Government Act, and they should have the right to take part in the election of the council for that shire. The Minister has admitted that and has tried to spread the furphy that they are actually living in local government areas, but they are not.

The provisions of this Bill concerning the making of by-laws put the lie to that. The by-laws have to be submitted first to the Minister for Aboriginal and Island Affairs. They are not even to be submitted to the Minister for Local Government, although the provisions of the Local Government Act require that after all the proper procedures have been followed it is in order for by-laws to be submitted to the Governor in Council.

I therefore move the following amendment—

“At page 9, line 38, omit the words—
‘the Minister for the approval of’.”

Mr HAMILL: This is another important amendment moved by the Opposition. It is another instance in which the Minister's own arguments cannot stand the acid test of public scrutiny. We have already tried to elicit a response from the Minister as to who would be appointed in the event of a council requiring an administrator. He refused to answer that question.

Mr Comben: Are you sure that the Minister is awake?

Mr HAMILL: His eyes are open. But the point has been well argued by the Opposition spokesman that the alleged local government or pseudo local government councils or, as I think we should probably call them, the area Island Councils, will send the by-law to the Minister—not the Minister for Local Government but the Minister for community services. I understand that the Minister for community services would

probably be the same person who controlled the old DAIA. The by-laws will then go to the Governor in Council. That is really quite incongruous when compared with the system that applies in all other local authorities. That is another glaring piece of evidence that what the Minister is talking about is an absolute sham. We are not talking about local authorities as they are commonly recognised in Queensland but about areas that have no status in terms of the broad local government laws of this State. They are literally little pockets that have been taken out of the recognised local government areas. Because of that, those people have been denied the franchise that every other Queenslanders has to vote in his ordinary local government election. The clause is a sham, it is paternalistic, and we oppose it.

Mr Scott: You are happy to support the amendment?

Mr HAMILL: I am delighted to support the amendment.

Mr GOSS: I also am concerned about this clause and, in particular about the absolute power that is being placed in the hands of the Governor in Council, which, in my experience, is a very unsatisfactory body.

Subclause (1) is typical of the approach of the Minister and of the legislation. It sounds fine. It conveys the superficial impression that the Island Council will have some real power to implement and give effect to by-laws. But the truth is quite the opposite. When one reads subclause (2), one sees that it will have no force or effect until it has been approved by the Governor in Council. We know that that means, in effect, by Mr Killoran or by the Premier. The decision is made at that level.

Mr Underwood: Or the new under secretary.

Mr GOSS: A rose by any other name would smell as foul. It will be the same person who has always been in charge, and that is my concern.

I compliment the Opposition spokesman, the member for Cook, on this amendment. It is simple and straightforward. Nevertheless, it goes to the heart of the problem.

Subclause (4) provides that the council must submit the by-law to the Minister for the approval of the Governor in Council.

Subclause (5) provides that the Governor in Council may reject the by-law wholly or in part. There we see the real and absolute power that lies in the hands of Mr Killoran and/or the Premier and not in the Island Council. It is not until some real measure of independence is conveyed—not just in terms of legislation but so that over the forthcoming period the Island Councils have real power to control their own affairs through their by-laws—that these people will move to the level at which they should be now, and from which they have been held back by a repressive and paternalistic administration.

Subclause (6) provides that where the Governor in Council approves a by-law, thereupon it becomes law. That is a patronising and paternalistic attitude. It is a superior one. What we will probably find is what we have seen in the past. Mr Killoran will get on his Gestetner machine, roneo off a set of standard by-laws and everybody will get a copy and be stuck with it. If somebody steps too far across the line and introduces some by-laws that he thinks he needs but which are not acceptable to Mr Killoran because they manifest that community starting to determine its own fate to self-determination, that will conflict with the standard philosophy and policy pursued by Mr Killoran. It would not appear, on past experience, to have any prospects of getting ahead. When that happens, as it undoubtedly will, we will see again the crushing of the spirit of these people and of any opportunity that they may have had to determine what they are doing themselves.

Mr Katter: Have you ever been on a reserve in your life?

Mr GOSS: I have been on several reserves from one end of the State to the other; as far north as Thursday Island and Bamaga and as far west as communities in Mt Isa and Cunnamulla. I have visited Yarrabah and Hope Vale.

Mr Katter interjected.

Mr GOSS: I am talking about Aboriginal communities in the wider sense. If the Minister wants to talk about reserves, I will talk about Bamaga, Hope Vale, Yarrabah and Cherbourg—to name those that I can recall off the top of my head. I have also

visited many other Aboriginal communities. It is relevant to refer to other Aboriginal communities to see the sort of paternalistic administration that the Minister has implemented and enforced on reserves over a period of time. It has had the same damaging effects, but in different ways, in Aboriginal communities in other parts of the State. It will not be until the Minister gives Aboriginal and Islander communities an opportunity to regain their self-determination and self-respect that he will correct those problems, not just on the reserves but in the wider Aboriginal and Islander communities.

Mr Scott: As a classic example, did you know that the Aurukun and Mornington Island councils, which were constituted in 1979, still have not had any by-laws approved by the Local Government Association? That is a shame.

Mr GOSS: That is quite right. I have noticed on my trips to Mornington Island that the shire clerk wields an unreasonable amount of power. It is likely that, under this sort of legislation, that situation will get much worse.

Mr Katter: Did you pick up the fact that there is no shire clerk there?

Mr GOSS: I am talking about Mornington Island. What I am saying—

Mr Katter: You are saying that there are certain problems there which result from the existence of the shire clerk.

Mr GOSS: No. The problems on Mornington Island have resulted from many years of neglect and the Government's administration.

Mr Katter: The same problems arose from church administration.

Mr GOSS: The Minister cannot deny his responsibility and the part that he and his Government have played in Aurukun and Mornington Island. It is part of the whole picture of oppression and repression of the Aboriginal and Islander communities, which is being continued and will continue in the future because of this legislation.

Mr KATTER: I just make the point that the Opposition would like to see clause 21 omitted so that the community councils are different from every other local authority in Queensland. If that clause were omitted, administrators would not be appointed. Now the Opposition is saying that the provision of by-laws should not rest with the Governor in Council. The Opposition, throughout this whole debate, has wanted special laws and privileges for these people. Opposition members have no sense of responsibility. None of the people on the reserve areas will seriously believe that Opposition members believe in what they are saying.

Mr SCOTT: The Minister is entitled to have a snooze for half an hour if he wants to, but he cannot mislead the House because he has had his little sleep. I noticed that he had a glass of warm milk and a sandwich as well. The Opposition did not disagree with the appointment of an administrator and it did not try to amend the clause. The Minister should wake up, do his job and answer the questions.

Mr HAMILL: The whole position has been grossly misrepresented by the Minister. The Minister has probably had a doze, woken up, had another doze and woken up again.

A Government Member interjected.

Mr HAMILL: Hark! I hear a little voice. Opposition members will make this point ad nauseam until the Minister takes notice that what we are saying is that it is a sham to call the Island Councils local authorities when the Local Government Department has no input into the administration of these local authorities and, as to by-laws, the principles that apply to any other local authority in the State of Queensland are not followed.

I notice that the Minister for Mines and Energy is showing his talent for milking. That is probably how he made Cabinet.

If the Aboriginal and Island Councils were true local authorities, the Local Government Department would be looking after the by-laws. The Minister must have been dozing when this point was being made before. The Local Government Department, under this legislation, does not control the by-laws. It is the Minister's department, this bogus Department of

Community Services, which only serves the interests of the old DAIA and does not serve the interests of the island communities that will control the by-laws. This Bill purports to improve the lot of the Aboriginal and Islander communities. It is absolute nonsense.

Mr GOSS: I want to correct and respond to a statement by the Minister that Opposition members want positive discrimination but do not want the black people of Queensland to have any responsibilities. We did not say that. The Minister knows that we did not say that; it is a deliberate misrepresentation. It is part of the Government's confidence trick. In a smarmy manner the Government engages the people's trust and confidence and betrays them subsequently.

Opposition members did not say that we did not want people to have responsibility. Indeed, we advocate that people on the reserves should have responsibility for the determination of by-laws and so on. However, that responsibility comes only if people can exercise real power. They will not be able to develop a full measure of self-responsibility until the Government gives them a full measure of self-determining power.

Mr UNDERWOOD: It is quite obvious that the Minister will not accept the Opposition's amendment, and that raises the question: Why does he want this special power of veto over by-laws? Is it because he believes that he and his officers are incapable of presenting valid arguments in Executive Council? Under the Local Government Act, the Minister for Local Government is able in Executive Council to veto local authority by-laws with which he disagrees. Why cannot the Minister for Aboriginal and Island Affairs do the same in relation to by-laws? Is this an admission by the Minister that he is incapable of winning an argument in Executive Council? Why does he need this special power of veto? He is struck dumb again.

Earlier, the Minister said that health and education services will be under the control of the respective departments and that, therefore, the people on the communities will be given equality. Why does not that principle apply to local government? The Minister has told us about the local government provisions in the Bill. Why cannot they be handed over to the Local Government Department, as by-laws of other local authorities are?

Mr KATTER: Let me answer the honourable member's first question. Some Minister must take by-laws to Cabinet. Under this Bill, I am that Minister. That is the only relevance of that provision.

Mr Scott: Not under the Local Government Act?

Mr KATTER: I can assure the honourable member that the Minister for Local Government takes by-laws to Cabinet.

Mr Scott: You have been telling us about this great similarity.

Mr KATTER: The situations are absolutely identical.

Question—That the words proposed to be omitted from clause 24 (Mr Scott's amendment) stand part of the clause—put; and the Committee divided—

Ayes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby

Harper
Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz

Newton
Powell
Randell
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 28

Campbell
Casey
Comben
D'Arcy
Davis
De Lacy
Eaton
Fouras
Goss
Hamill
Kruger

Mackenroth
McElligott
McLean
Milliner
Prest
Price
Scott
Shaw
Vaughan
Veivers
Warburton

Warner, A. M.
Wilson
Wright
Yewdale

Tellers:

Burns
Underwood

Resolved in the affirmative.

Clause 24, as read, agreed to.

Clause 25, as read, agreed to.

Clause 26—Island rate and other charges—

Mr SCOTT (3.54 a.m.): A similar clause was contained in the legislation that this Bill replaces. I am certain that the Islanders will not be happy with this clause, which states—

“(1) An Island Council may make and levy a rate upon such basis as is prescribed by by-law of the council.

(2) An Island Council may impose, demand and recover fees, charges, fares, rents and dues in respect of any property, service, matter or thing for the purpose of enabling it to discharge and exercise its functions and powers.”

The Opposition does not know what the Government has in mind. Does the Government want the councils to charge each other rates or does it not? Earlier, the Minister for Transport asked me whether the people up there pay rates. We do not know what the Government is on about.

I know what is not happening up there in the provision of services. There is still no electricity in the Torres Strait area. There is still no satisfactory water supply. The housing is shocking. This is the housing that the Premier has kept people living in. He simply will not provide the money to enable proper maintenance to be carried out on the houses. They are in a terrible condition. He does not inspect them these days. I have been through houses at Cherbourg, in the Premier's electorate, that I would not put anyone in. Nowhere else would a tenant be put into that style of housing. The people there have raised the matter with me. They know that the style of housing they are required to live in is inadequate; yet the Government still charges them rent. The Premier should look at them at some time. It is no wonder that he does not get a vote in Cherbourg—and he is talking about putting me out of Cook!

Mr Bjelke-Petersen: As sure as the sun rises, you won't be here next time.

Mr SCOTT: The Premier has often made such outlandish and outrageous predictions. However, I am not about to enter into a debate with him.

I suggest that the Premier inspect the Aboriginal housing in his own electorate. It is a disgrace and it is a shame. The Cherbourg people who have been here this evening—

Mr KATTER: I rise to a point of order. I really do not think that this has anything to do with the clause.

Mr SCOTT: It has everything to do with the clause. The Minister knows nothing about his own legislation. He is suggesting that the councils levy a rate. This is in conjunction with his pseudo moves to have these areas, as he calls them, as shires. Of course, they are not shires; so the matter of rating should not be considered. If the Minister allows the provision to remain in the legislation, fair enough. However, if he intends it to earn money for the councils so that they can provide the services that his Government has not provided, I would like him to say so. I would like him to tell the people in the Torres Strait area why that provision is there. Is it to be used or is it not? I ask him to tell them how long it has been in the legislation that this is replacing and how long it will be in the legislation

that he has been foreshadowing. At the same time, I would like him to tell them, if he intends imposing a rate on them, whether that will be to provide those services that I have said are not being provided. That is what I am asking. I would like him to tell the people. A move is being made by the Commonwealth Government to provide better water supplies up there. The Federal Labor Government has some concern for the people and is proving it by providing money to find water supplies—something that this Government has had the full responsibility for doing and has not done for 30 years. It has dodged its responsibility. Houses up there have a whole array of 44-gallon drums to catch the water. The sleepy back-bench members on the Minister's committee have never seen that. They are shaking their heads indicating that they have never seen it. The chairman up there has said to me that something has to be done about their water supplies. If it is to be done through this rating provision, I ask the Government to tell us about it. Not one back-bencher has stood up to defend the Minister. They are letting him go to the wall. He cannot handle it himself. I ask them, for goodness' sake, to come to his defence.

What is happening about the rating? The people up there want to know. When they see this provision in the legislation, once more they will ask, "What are we supposed to do? Impose the rates or not impose the rates?" Does the Government intend to provide services so that they do not have to use 44-gallon drums? When a person staying with those people takes a bucket of water for washing purposes, he suddenly realises that he has used half a day's supply. The supply of water is so poor in some of the communities that the council is able to turn on the reticulated water only every second or third day. That is the type of water supply that this Government has provided up there. The Government tries to tell us this evening that it is ushering in a new era for those people, that they will have their own local authority. They will have nothing of the sort. They are certainly not getting it under this provision. At least the Federal Government is doing something. The Federal Government is not asking them to set a rate to enable them to have a water supply.

Clause 26, as read, agreed to.

Clause 27—Budget of Island Councils—

Mr FOURAS (4 a.m.): In an earlier debate, the member for Toowoomba North said that the Aborigines and Islanders require safeguards so that the Government will not have to bail them out. That thinking is exemplified in subclauses (3) and (4) of clause 27. The provision is very paternalistic. The Bill provides that when the local people set a budget, the Minister must approve it. If he does not like it, he can ask for a new budget. Of course, no budget has any force until the Minister approves it, which is the time at which it comes into effect. That is the most paternalistic clause in the legislation. Although I should be moving for the deletion of subclauses (3) and (4) of clause 27, I will not do that; but I ask the Minister, when he is considering the legislation in the future, to allow Islander people to run the local councils and to have some say in management of their own affairs. The parts of the clause I have mentioned are absolutely beyond the pale. The Government is simply saying that it wants total control and that it is worried about bailing the councils out. The Minister does not approve the budget of the Gold Coast City Council.

A Government Member: Yes, the Government does.

Mr FOURAS: The Government does not. Certainly the Government does not ask for a new budget. The clause is absolutely ridiculous.

Mr HAMILL: The provision contained in subclause (4) of clause 27 is totally at variance with the intentions that the Minister stated when he assumed his portfolio. At that time, in a press interview, he proffered the view that the legislation presently in force showed the Government's paternalistic mentality. What could be more of an interference than the provisions of subclause (4) of the clause, which states—

"A budget of an Island Council shall be of no force and effect until it is approved by the Minister."

The Minister claimed that Aborigines and Torres Strait Islanders are capable of running their own affairs. In this instance, the Minister has to put his money where his mouth is. If he genuinely holds to those beliefs, which he has trumpeted throughout north Queensland, the Torres Strait islands and though the areas that are prescribed by the Bill, there is no way in the world that he can support the retention of a clause such as the paternalistic little piece of legislation that is presently being considered by the Committee.

Clause 27, as read, agreed to.

Clauses 28 and 29, as read, agreed to.

Clause 30—Accounts and audit—

Mr SCOTT (4.3 a.m.): This clause is another instance of the Government's discrimination against the people of the Torres Strait. The provision is incredible and will cause the people up there great concern. If the Minister ever dares to visit the areas again, he will be shot down over this clause. He should never dare to say up there that he had consultation with the people and that, even though they did not know it, they gave tacit approval for all of these things because they liked the Minister's nice smile.

Tacit approval has been given for the following—

"An Island Council shall keep proper accounts to record the receipts and disbursements into and from each fund of the council, including such accounts as may be directed by the Minister.

The Under Secretary or a person authorized by him is entitled to enter into and be in the area and premises of an Island Council, to inspect the records of accounts kept by that council and to make copies of or extracts from such records."

The councillors are quite able to keep proper accounts and to record receipts and disbursements. They will do that without the urging of the Minister. They do not need that provision. They would be quite happy to accept something that might approach the provisions in the Local Government Act.

They are also prepared to accept the following part of the clause—

"Upon the request of the Under Secretary or such authorized person, a person having custody of the records of accounts on behalf of an Island Council shall produce the records in accordance with the request."

The Minister is bludgeoning them into submission. They do not need that. Under the provisions of the Local Government Act the auditors can call for such documents. That is all that is required. Mr Booth, you have had wide experience in local government. I am sure that the council on which you served did not have to put up with this terrible provision that some under secretary—the old director of the DAIA—or his agent who used to be called the manager, can enter and demand documents.

There are some very onerous provisions later in the Bill that I will not mention yet that show what will happen to any of those councillors, or the council clerk, if they do not provide the documents. The Minister is trying to tell us that this is normal legislation and that the people are being brought into the twentieth century. He is also saying that the areas are really local authority shires. I am saying that they are not, so I intend to move an amendment to try to remove those provisions. If Government members had the courage of their convictions, they would vote with the Opposition in this instance.

I move the following amendment—

"At page 11, omit all words comprising lines 37 to 43."

That amendment will bring that provision up to a reasonable standard.

Mr HAMILL: The amendment moved by the honourable member for Cook is again a very important one. It is a shame that honourable members opposite have not been paying more attention to the fine print of the Bill because they, too, I would hope, would have the best interests of these fledgling areas, these pseudo councils, at heart. The amendment is very clear. There is in Queensland an independent officer who undertakes regular accounting procedures in relation to all other local authorities. The Auditor-General's reports are respected documents that are periodically tabled in this place, yet there is still a requirement in this clause that gives this ubiquitous under secretary, the shadow of the Minister, enormous authority in relation to what the Minister keeps describing to us as local authorities.

Mr Scott: There is always the grey eminence looking over the Minister's shoulder.

Mr HAMILL: Grey eminence indeed. The shadow is always there. He always has his finger on the button of these councils, as we are repeatedly told they are. Again, it just shows what a nonsense it is for the Minister to claim that these councils that he establishes under this Bill can be compared with other local authorities.

As I said earlier, this is an attempt by the Minister to put up some sort of cosmetic legislation to hide the true intentions of his department and his Government. Clause 30 is a cosmetic attempt to give the areas the appearance of local authorities. The Bill is supposed to be giving a degree of autonomy to these people but, when an Auditor-General's report is not adequate for the Government's requirements, it is a glaring indication, once again, that the relative autonomy the Government is purporting to give to these people through their local areas is not real autonomy at all. The people are still subject to the same sort of totalitarian regime that controls every aspect of the society in which they live, just as happened under the old Torres Strait Islanders Act.

Question—That the words proposed to be omitted from clause 30 (Mr Scott's amendment) stand part of the clause—put; and the Committee divided—

Ayes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby

Harper
Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz

Newton
Powell
Randell
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 28

Campbell
Casey
Comben
D'Arcy
Davis
De Lacy
Eaton
Fouras
Goss
Hamill

Kruger
Mackenroth
McElligott
McLean
Milliner
Prest
Price
Scott
Shaw
Vaughan

Veivers
Warburton
Warner, A. M.
Wilson
Wright
Yewdale

Tellers:

Burns
Underwood

Resolved in the affirmative.

Clause 30, as read, agreed to.

Clause 31—Financial returns and statements—

Mr SCOTT (4.14 a.m.): This is another provision that shows that the Minister is not fair dinkum about making these areas local authorities. The chairman of an Island Council will be required to furnish the following statements in the form required by the Minister—

“(a) a statement of receipts and disbursements with respect to each fund during the month last preceding;

(b) a statement of income and expenditure in respect of the month last preceding.”

The Government wants the community councils to make monthly returns, but, at the same time, it tries to tell the House that they will be ordinary councils.

I foreshadow that the Minister will either change his amendment or not move it. Because of the strength of the Opposition's attack on this legislation, the Minister has decided to make a very small concession. I will put it another way. He is an incompetent Minister and the clause was poorly drafted to begin with.

These provisions are demeaning. I will say once again that they should not be in the Bill, because they only show that the councils are not proper councils. The clerks and the councils will be jumping up and down like yo-yos at the Minister's behest to provide the monthly reports. Is the Minister trying to overwork the councils in the Torres Strait? There is no need for monthly reports. The councils should only have to provide annual budgets, as other local authorities do.

The Bill provides for the appointment of a clerk, but he will not be called a shire clerk. Effectively, the councils will not have a shire clerk to help them. The councillors will get by because they are capable people, but they should not be required to meet this onerous provision.

I move the following amendment—

“At page 12, omit all words from and including ‘(1) At’ in line 25 to and including ‘preceding’ in line 32.”

Question—That the words proposed to be omitted from clause 31 (Mr Scott's amendment) stand part of the clause—put; and the Committee divided—

Ayes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby
Harper

Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz
Newton

Powell
Randell
Row
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 21

Campbell
Casey
D'Arcy
De Lacy
Eaton
Fouras
Goss
Hamill

Mackenroth
McElligott
McLean
Prest
Price
Scott
Veivers
Warner, A. M.

Wilson
Wright
Yewdale

Tellers:

Burns
Underwood

Resolved in the affirmative.

Mr KATTER: I move the following amendment—

“At page 12, line 26, after the word ‘month’ insert the words—

‘during the period of three years after the commencement of this Act and thereafter at the beginning of each quarter’.”

The amendment is self-explanatory.

Mr HAMILL: In view of the criticism that Opposition members levelled at the clause, concerning which we argued quite convincingly that the original requirement was an extremely onerous one, could the Minister outline why he has now decided that the original provision was unsatisfactory and why he considers it necessary to reduce the requirement to a quarterly report? Certainly, it is an improvement. Could the Minister respond to my question?

Mr UNDERWOOD: Once again we have to go through the same routine because the Minister is sitting there asleep or refuses to answer.

Mr Alison: This is getting a bit boring.

Mr UNDERWOOD: It is the Government's problem that we are sitting at this hour. If the honourable member wants to blame someone for this, he should blame the Minister.

The TEMPORARY CHAIRMAN (Mr Booth): Order! I suggest that the honourable member for Ipswich West debate the amendment.

Mr UNDERWOOD: I will do that, Mr Booth.

The TEMPORARY CHAIRMAN: Order! It is the Minister's prerogative to decide whether to answer the question that has been asked.

Mr UNDERWOOD: I was simply responding to the interjection from the Government side.

The honourable member for Ipswich has raised a valid point, yet the Minister refuses to answer. What is wrong with the Minister? If he wants to keep the debate going in a sensible fashion, why does he not adjourn it to another day?

Amendment (Mr Katter) agreed to.

Clause 31, as amended, agreed to.

Clause 32, as read, agreed to.

Clause 33—Short term investment powers—

Mr SCOTT (4.24 a.m.): This provision is another patronising provision. I will read it, because it is obvious that Government members have not read the Bill. If they had, they could not possibly support it.

Mr Hinze: Is it true that you are an albino?

Mr SCOTT: The Minister can call me what he likes, but he will not worry me. He has done little for the people of Aurukun and Mornington Island, so he should not pick on me.

Clause 33 relates to short-term investment powers. This is the so-called icing on the cake that is supposed to be giving the Island Councils something close to autonomy and something close to the rights enjoyed by the other shire councils, of which we are told they are a part. So they will be able to make short-term investments. There is nothing wrong with that. The Island Councils may invest moneys that are temporarily surplus in any fund. The under secretary of the Department of Community Services, or the ex-director, will be saying where the short-term investment money goes. The punch line can be found in subsection (2), which states—

"Every security, safe custody acknowledgement . . . shall be held by the Island Council concerned or by the Treasurer on its behalf."

I imagine that the Minister will not buy the councils a security safe. Until now, he has not bought them anything to enable them to run their councils. They will not be able to hold the documents; they will be sent to the Treasury. In fact, I doubt whether that is where they will be. I would be very surprised if they are not in the care and custody of the under secretary. It is a patronising provision. I will not take up the time of the committee by moving an amendment to the clause. The Opposition will be moving amendments to other important clauses. I will be very interested to hear the Minister's remarks. He has finished his sandwich and his second glass of milk. He might be in a position to stand up and make some comments about it.

An Opposition Member interjected.

Mr SCOTT: I wonder whether the under secretary has a private investment fund or an advisory service. I know that he provides accommodation in Brisbane for Islanders. I would like to know what rent he charges. I would also like to know who has done the maintenance on his houses. I heard that it was the carpenters from Cherbourg. He has breached every possible convention in regard to the Crown and the Westminster system. I do not think that it matters any more. Rafferty's rules apply.

Mr Borbidge: What clause is this?

Mr SCOTT: Clause 33, if the member for Surfers Paradise would like to follow it. He should show some interest in his Government's legislation.

The TEMPORARY CHAIRMAN (Mr Booth): Order! We are debating this Bill in the early hours of the morning. I suggest that we will progress more quickly if there is a little sanity in the debate.

Mr SCOTT: I would not give the Chair advice, but I think that the member should have been named. That would have kept him quiet.

Subclause (2) is no good. It is a patronising provision. The Islander people do not want it. Had they known that it was proposed to include that subclause in the Bill, they would have objected to it.

Clause 33, as read, agreed to.

Clauses 34 to 36, as read, agreed to.

Clause 37—Island police—

Mr SCOTT (4.29 a.m.): Clause 37 is very important. The Opposition has skipped over reference to the jurisdiction and powers of the Queensland police. I referred to them adequately during my second-reading speech. I stated how the duties of the Queensland police were nicely outlined in this legislation, but I pointed out that there was an inadequate provision for Island police. During my second-reading speech I highlighted the fact that the Island police were not being given any training. An appointment can be made by the Minister or the council. Subclause (2) states—

“ . . . the council or the Minister (whoever makes the appointment) shall equip the persons appointed with a uniform and such other marks of authority as it or he thinks fit to enable them to discharge their function.”

It is unfortunate that the Island and Aboriginal police are not properly equipped. At present, the managers do not know under which provision the Island police or the Aboriginal police are supposed to be equipped. They should be able to wear boots, trousers, shirts, hats and insignia the same as members of the Queensland Police Force. That has never been so. The director probably has a mate over in the Police Department whom he has rung up at some stage and said, “Send some more boots up there to those poor blokes.” They have never been properly equipped. He does not care how they look. He does not really care whether they do their job properly. He has never been able to implement any training procedures.

Subclause (2) contains a dreadful provision that they shall be equipped with some sort of uniform, but there is no particularity as to the type of uniform that it should be. It is a terribly patronising provision. I know that the Minister intends amending it, but we will move our amendment first. I am quite certain that Government members will see the merit in our amendment and vote the right way by joining us. It is about time that they showed they have some feeling for the Torres Strait island people. The very fact that they have sat in almost complete silence while this terrible legislation is being debated is a measure of the low regard in which they hold the people up there. Therefore, I move the following amendment—

The TEMPORARY CHAIRMAN (Mr Booth): Order! The Minister has an amendment. My advice is that his amendment takes precedence because of the line at which his amendment is proposed.

Mr SCOTT: I am happy to have your enlightenment on the matter, Mr Booth.

Mr KATTER: I move the following amendment—

“At page 14, omit all words comprising lines 25 to 32 and substitute the words—

‘(2) An Island Council, with the Minister's approval, may appoint such number of persons as it considers necessary for the peace and good order of its

area and the council shall equip the persons appointed with a uniform and such other marks of authority as it thinks fit to enable them to discharge their function.'"

Amendment agreed to.

Mr SCOTT: Will you now accept my amendment, Mr Booth?

The TEMPORARY CHAIRMAN: Yes.

Mr SCOTT: I am pleased about that. It is a worthy amendment, put together by my colleagues. What it does that the Minister's amendment has not done—and this should attract support even from the other side of the Committee—is talk about a basic—

The TEMPORARY CHAIRMAN: Order! I am advised that, since the clause has been amended, we cannot accept the amendment of the honourable member for Cook.

Mr SCOTT: I rise to a point of order. I understood that the Minister's amendment took precedence, but this—

The TEMPORARY CHAIRMAN: Order! The member will have to amend the Minister's amendment.

Mr SCOTT: We would certainly be prepared to do that. Therefore, I move the following amendment—

"At page 14, omit all words comprising lines 25 to 32 and substitute the words—

'An Island Council may appoint such member or persons as it considers necessary for the peace and good order of its area and shall equip the persons appointed with a basic Queensland police uniform.'"

Question—That the words proposed to be omitted from clause 37 (Mr Scott's amendment) stand part of the clause—put; and the Committee divided—

Ayes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby
Harper

Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz
Newton

Powell
Randell
Row
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 24

Campbell
Casey
Comben
D'Arcy
De Lacy
Eaton
Fouras
Goss
Hamill

Mackenroth
McElligott
McLean
Milliner
Prest
Price
Scott
Shaw
Vaughan

Veivers
Warner, A. M.
Wright
Yewdale

Tellers:

Burns
Underwood

Resolved in the affirmative.

Clause 37, as amended, agreed to.

Clause 38, as read, agreed to.

Clause 39—Other functions of Island police—

Mr SCOTT (4.40 a.m.): I have to oppose this clause. The Opposition is totally against it. It simply makes a joke of the Island police and the services legislation. As I said earlier, the Island Council may by its by-laws simply charge the Island police with responsibility for ambulance services, fire-fighting services and emergency services. That is totally improper. Ambulance services have to be established in those areas. There is a need for them. Some Government members think that the communities are a joke, and treat them as such. Some of them, such as the member for Southport, go up to the communities to improve their sun-tans. They do not know what goes on. Those small communities operate just like every other small community in Queensland. They have councils. The councils even have a clerk, not because this Government put him there but because the Commonwealth pays for him. They have schools, teachers, medical aid posts, nurses, policemen and a number of other services. They might not have electricity and water supplies, which this Government is supposed to provide, but the people there provide most other things themselves. They do not have proper ambulance services at the moment, but we say that they should have them. The Minister said that because something occurs in America it is quite a good thing and he has popped it into this Bill. It is not a good thing. We are totally opposed to it.

Question—That clause 39, as read, stand part of the Bill—put; and the Committee divided—

Ayes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby
Harper

Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz
Newton

Powell
Randell
Row
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 23

Campbell
Casey
Comben
D'Arcy
De Lacy
Eaton
Fouras
Goss
Hamill

Mackenroth
McElligott
McLean
Milliner
Prest
Price
Scott
Vaughan
Veivers

Warner, A. M.
Wright
Yewdale

Tellers:

Burns
Underwood

Resolved in the affirmative.

Clause 40—Island Courts—

Mr SCOTT (4.47 a.m.): There is a provision in this clause that the Opposition just cannot accept. I refer to paragraph (b) of subclause (2).

This clause attempts to cover the constitution of an Island Court. These are important courts for the Torres Strait people. It is traditional justice. The people in the Torres Strait and in the Aboriginal communities know what they want in this regard. They know very well their traditional justice and the way in which to handle these matters.

Island Courts have been around for some time. In Queensland, they are assisted by Aboriginal or Islander justices. Those people are justices of the peace, and that is a good

state of affairs. Once again, the problem is that they are not given any training by the Government of this State. They are able to get by because they are mature people and have an innate sense of justice that stands them in very good stead.

The most important point about the Island Courts and the justices who serve on them is that the people concerned know the family considerations and the tribal considerations. Quite often, Queensland Police Department police—they are commonly called white police—go barging round in those areas with absolutely no idea of the sensitivities of the Aboriginal or Islander people. Fortunately, the Island police are there to give them some advice; also, the justices are able to give them some advice. It is a shame that the justices are not given more training. I said previously that it is a shame that the Island police are not given more training; in fact, they are given no training.

The Minister is saying in this clause that where the provision that there should be two justices cannot be complied with, the members of the Island Council that has been established for the area concerned, or a majority of them, shall hear and determine a matter. That is just what the ordinary people in those areas do not want. Council people will be sitting in judgment over their own constituents, and that is not desirable. There is absolutely no reason why a case cannot be held over until justices come from an adjacent community or until the visiting justices arrive in the area. They have to visit an area every three months.

This clause is a clear indication that the Minister has not listened to the Island people, but the same can be said of every provision in this unwanted Bill. It is also clear proof that the people have had no idea what is in the Bill because they would not tolerate this clause. This clause does not conform to the traditions of the Islander people or the Aboriginal people. The clause should have been amended but time has not been available to deal with the legislation correctly.

An Opposition Member interjected.

Mr SCOTT: That is right. The clause should not be in the Bill and if the Minister's committee had done its job, it would not be there. It must have been inserted for an ulterior motive and I can only wonder whether the devious hands of the director are involved.

Mr Katter interjected.

Mr SCOTT: I cannot do that. The Minister should give me a better reason why this clause, which flies in the face of the Islander people who do not want it, is in the Bill. It is well known that they did not want the clause. The Minister has said that amendments to the legislation will be moved in a couple of months, and this clause should be removed at that time.

Clause 40, as read, agreed to.

Clause 41—Jurisdiction of Island Courts—

Mr HAMILL (4.52 a.m.): Subclause (2) of this clause says that an Island Court shall be constituted to hear and determine "matters of complaint that are breaches of the by-laws applicable within its area". What is the jurisdiction of the court in those areas? I ask that because there are departmental houses in many of the communities. It is the Opposition's view that those departmental buildings are probably outside the regulatory powers of the Island Council. I would be most appreciative if the Minister could respond to that important question. It has a bearing on the way in which the Island Courts carry out their important role of maintaining order in the communities.

Mr KATTER: Clause 42 answers the question.

Mr HAMILL: I cannot follow the Minister's logic. Could he please elaborate?

Mr KATTER: I cannot explain it any better than by referring to clause 42.

Clause 41, as read, agreed to.

Clause 42—Limitation of jurisdiction over persons—

Mr SCOTT (4.54 a.m.): This is a strange clause and the Opposition does not like the way it is worded. It obviously has not been explained to the Islander people; if it had been, they would have expressed their disapproval.

The clause relates to the definition of an Islander. For the purposes of the Bill, an Islander is someone of island extraction, or as it is commonly put, someone with Island blood. The provision also applies to anyone who lives in the communities by choice. It means that if a person from another part of Australia chose to live in an island community for other than official purposes and had been accepted by the council and the under secretary—who always seems to have overriding powers—he would become an Islander for the purposes of this legislation.

Islanders are under the jurisdiction of the Island Courts, as set out in subclause (1). However, under subclause (2), a person, whether an Islander or not, who is a resident in an area by reason only that he holds an appointment that requires his residence there shall not be taken to be part of the community resident in the area.

That provision is a very strange one. The jurisdiction of the Island Courts will be over by-laws, for example. A person who, because of his appointment, is required to be a resident in a particular area can laugh at the by-laws. No doubt the Minister will do nothing more than have an inane grin on his face. He has not provided any explanation on the matters that Opposition members have raised. He said that clause 42 explained clause 41. Perhaps this Bill is a progressive one in which each clause provides the explanation for the preceding clause.

Opposition members are concerned about the limitation of jurisdiction over persons. It is not proper to excuse anyone from the jurisdiction of the Island Courts if people who are not Islanders are under the jurisdiction of the courts.

I like the provision that allows Island Courts to deal with Islanders. That is traditional. It is accepted that white people in those communities are not dealt with by the Island Courts, because that would embarrass the justices of the peace, who are not equipped to deal with cases of that type. Although they have a great deal of natural wisdom, they do not want to deal with such a case. Clause 42 (1) provides that they must deal with such a case. That is quite wrong and shows that the Minister is totally out of touch with the people whom he is supposed to represent.

Subclause (2) refers to a person "whether an Islander or not". That means that an Islander schoolteacher with an Islander wife will not be subject to the jurisdiction of the Island Courts. Will his wife be subject to their jurisdiction? If a person from another part of Australia is living there with an Islander wife, will he be within or outside the courts' jurisdiction? What about his wife? If an Islander is living there with a wife from another part of Australia, will she be excluded?

Every day, breaches of the by-laws will be argued on the islands. Because the Government has done very little to provide water for the Islander communities, watering lawns may constitute a breach of the by-laws. Whether or not people are entitled to water their lawns and gardens is of vital importance to people on the islands. That is just one example of the conflicts that will arise under this clause.

The Opposition will try to rectify this improper clause by moving an amendment. I therefore move the following amendment—

"At page 16, omit all words comprising lines 1 to 4."

Question—That the words proposed to be omitted from clause 42 (Mr Scott's amendment) stand part of the clause—put; and the Committee divided—

Ayes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby

Harper
Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz

Newton
Powell
Randell
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 21

Campbell
Comben
D'Arcy
De Lacy
Eaton
Fouras
Goss
Hamill

Mackenroth
McElligott
McLean
Milliner
Prest
Price
Scott
Vaughan

Veivers
Wright
Yewdale

Tellers:

Burns
Underwood

Resolved in the affirmative.

Clause 42, as read, agreed to.

Clause 43—Right of appeal against conviction—

Mr SCOTT (5.5 a.m.): Clause 43 is an important clause. It provides for a right of appeal against conviction.

It is my experience that people do not know how to use the right of appeal against conviction. It is not proper to have that provision without providing training for the justices of the peace so that they can advise people accordingly, and without ensuring that the visiting justice—that is, the white judge who is now supposed to visit them every three months—provides some assistance to those wishing to lodge an appeal. Miscarriages of justice occur up there. The Minister has provided for a right of appeal against conviction. I would like him to tell the Committee how many appeals have been made during his brief period as a Minister.

Mr KATTER: There have been none, to my knowledge.

Clause 43, as read, agreed to.

Clause 44—Continuation and incorporation of Island Co-ordinating Council—

Mr KATTER (5.6 a.m.): I move the following amendment—

“At page 16, line 24, omit the words—

‘a common’

and substitute the words—

‘an official’.”

Mr SCOTT: I was sure that the Minister would sleep through his amendment. It is quite inconsequential, but it is further evidence that the Bill has not been properly drafted. All the hard work that he and his back-benchers are supposed to have put into it has meant nothing.

There are very important questions to be asked about the clause. The Island Advisory Council will become the Island Co-ordinating Council, to be “constituted from time to time in accordance with this Part” of the Bill. The Island Advisory Council has been in existence for quite some time, but the Government has not provided it with the services to allow it to work properly. The best services provided up there—and the Minister knows it very well—have been provided through the NAC. It is almost a crime to mention that organisation in this place. As soon as I mentioned “NAC”, the Premier very quickly put aside his copy of this morning’s “Courier-Mail”. He dislikes intensely people who have any involvement with the Commonwealth.

Mr Underwood: Would you say he is paranoid about it?

Mr SCOTT: Yes. However, what he really should be paranoid about is the poor services provided by his Government, his department and his director—and they are all his—for the Island Advisory Council. It is composed of a group of people who live out on the islands. Unless they do so at their own expense, they have no way of communicating one with the other. I ask the Minister: Will he provide the Island Co-ordinating Council, in its new cloak of authority, with new services that will permit it to carry out the valuable job that it ought to perform?

Before very long we will be debating the Community Services (Aborigines) Bill. I will be referring then to the Aboriginal and Islander commissioners. They have been paid for by the tax-payers of this State. We do not hear one word about the role of the commissioners;

yet they exist under present legislation. The Island Advisory Council has been quiet for the very same reasons. Its members are not given much of an indication about how to go about their job. This Minister and his predecessors have totally ignored them. They have no facilities with which to carry out their work. The Bill continues the existence of the council but gives it a new name. There ought to be some significance to the Island Co-ordinating Council.

I ask the Minister to at least get off his posterior and try to enlighten the Committee about some of the provisions of the Bill. He has not spoken to any of them so far. He has told us that one that is ahead of another is self-explanatory, as is the one that is behind it. Let the Minister tell the Committee and the Island people what provisions will be made for the Island Co-ordinating Council.

Mr KATTER: There is heavy machinery on the islands. We are envisaging that at some future date—it is hoped that it will be in the immediate or near future—we will be able to allocate some of that heavy machinery to the council. Obviously, other things like heavy machinery would be suitable for use by that body.

Amendment (Mr Katter) agreed to.

Clause 44, as amended, agreed to.

Clauses 45 to 47, as read, agreed to.

Clause 48—Divisions of Torres Strait—

Mr SCOTT (5.11 a.m.): I do not expect to get any further comment from the Minister on this clause, even though he explained it very inadequately before.

Part of clause 48 states—

“Divisions of Torres Strait. (1) For the purpose of the selection of members of the Island Industries Board and the executive committee under section 46 the Minister shall (and may from time to time) delineate, by such means as he thinks fit, the communities of Islanders resident in the Torres Strait into four divisions.”

I made the intelligent assumption that the fourth division will deal with Tamwoy Town and Bamaga, but the Minister is not yet able to say that that is the case. He wants to have further talks with the people up there. That is a clear indication that he has not had any, because he has not sorted out that minor point.

The Island Industries Board and the executive committee have very important functions, but the composition of them will be stacked by the Minister or the under secretary, who will put on those boards people of their choosing. The shame of it all is that they will not be elected. Some people speak of democracy applying to people right across Queensland; but the Bill, of which the Minister is so proud, denies basic democratic rights.

Mr Katter: They will be voted for by the chairmen.

Mr SCOTT: The Minister does not know his own legislation. For goodness sake; the Minister should read his legislation.

Clause 48, as read, agreed to.

Clauses 49 and 50, as read, agreed to.

Clause 51—Particular functions of council—

Mr SCOTT (5.13 a.m.): The Minister has told the Chamber that the Island Co-ordinating Council will deal with heavy machinery. There are many more important things in the day-to-day life of the people up there than machinery, which at the moment is handled by one man, a departmental employee named Barney Chapman, who has done an extremely good job. He has constructed all the airports that are used by the tourist back-benchers from the Government side who go up there to improve their sun-tans. Of course, they are also used by the Minister.

Mr Bjelke-Petersen: Don't you ever go up there?

Mr SCOTT: Mr Premier, go back to sleep! I travel to that area regularly. When the Premier had a go at me about winning the seat, I told him that I won it because I used my feet and constantly travelled in the area. I certainly know it far better than anyone on the Government side. I have always gone up there, I will continue to go there, and the Premier will not stop me.

The CHAIRMAN: Order! Would the honourable member confine himself to the clause?

Mr SCOTT: I have certainly been provoked.

The CHAIRMAN: Order! The honourable member has made his point.

Mr SCOTT: I have read the newspapers and I have seen the Premier's insults to the people in the north.

The CHAIRMAN: Order! The honourable member will come back to the clause.

Mr SCOTT: Yes, I will come back to the Bill, because I certainly could not be bothered with talking to the Premier.

The Chapman family have done a remarkable job. The Government said that an airstrip could not be constructed on Murray Island; but Barney Chapman was able to construct one, which has been a great service to the people. He is such a considerate man that he made certain that he replaced the farmlets of a couple of families who had to have their land taken over for the aerodrome. He is one person who has made an effort to understand the customs and practices of the Islander people.

In all fairness, I do not think that, when I am up there next week, I will be able to tell those people who I have a pretty fair idea will be on this Island Co-ordinating Council that all that they will be concerned with is heavy machinery. Much more important things such as the progress of the entire Torres Strait are involved. They will be a thorn in the Minister's side. The councillors will be attempting to do their job properly and will be constantly needling the Minister about the shortcomings in the area, such as the lack of water and electricity and the state of the housing. It is in a dreadful state. I have to keep stressing that. Now, perhaps there is a body which will certainly do the job if the Minister gives it some teeth.

I therefore move the following amendment—

“At page 18, omit all words comprising lines 15 to 17 and substitute the words—

‘The Minister shall submit the report and recommendations furnished to him under subsection (2) to the Parliament of Queensland within 28 days after they are furnished to him. The Minister must also provide to Parliament advice on the proposed implementation of these recommendations or reasons for refusal to do so.’ ”

Question—That the words proposed to be omitted from clause 51 (Mr Scott's amendment) stand part of the clause—put; and the Committee divided—

Ayes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby

Harper
Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz

Newton
Powell
Randell
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 22

Campbell
Comben
D'Arcy
De Lacy
Eaton
Fouras
Goss
Hamill

Mackenroth
McElligott
McLean
Milliner
Prest
Price
Scott
Vaughan

Veivers
Warner, A. M.
Wright
Yewdale

Tellers:
Burns
Underwood

Resolved in the affirmative.

Clause 51, as read, agreed to.

Clauses 52 to 57, as read, agreed to.

Clause 58—Profits of Board—

Mr KATTER (5.22 a.m.): I move the following amendment—

“At page 20, lines 42 and 43, omit the words—

‘Governor in Council from time to time directs’

and substitute the words—

‘Board from time to time directs with the approval of the Governor in Council’.”

Mr SCOTT: Once again the Opposition has had a little victory. The Minister has tried to tell us that we are not amending this Bill. We have just amended it. The amendments have been introduced as the result of our speeches during the second-reading debate. These amendments were prepared subsequent to our speeches. We should be given credit for amending the Bill. I should think that this clause would be amended in the way proposed by the Minister. I was not happy with the provision whereby the Governor in Council—

Mr KATTER: I rise to a point of order. The amendments were prepared with the agreement of the Islander leaders this morning and with the agreement of the Aboriginal leaders this afternoon. They had nothing to do with the member for Cook.

The CHAIRMAN: Order! Will the member for Cook accept the Minister's explanation?

Mr SCOTT: I will accept the Minister's explanation.

The Islander people will judge these matters themselves. I am concerned about the profits of the board. One of the interesting matters in the annual reports of the Department of Aboriginal and Islanders Advancement is the report of the Island Industries Board. It consists of a few lines that are tucked away at the back of the director's report. The director and his staff are not prepared to tell the truth about the board. It has been one of the director's little toys.

I do not know how it happened, but a couple of years ago the director did not like the manager and the secretary of the board. He claimed that they got the board into all sorts of a mess. He did not have faith in his manager on Thursday Island, who is chairman of the board. So up trotted the director to pull those people into gear. Talk about the Premier and the Minister for Local Government, Main Roads and Racing being autocrats! If the director had been elected to this Parliament, he would have shown Government members how to be an autocrat. I can understand why so many members of the National Party told me personally that they hoped he would not win.

Mr Hinze interjected.

Mr SCOTT: I am certain that the Minister for Local Government, Main Roads and Racing said that.

I would like the Minister, who is the mouthpiece for the under secretary, to tell us about the Island Industries Board. What profits has it made in recent years? What profit did it make last year, when Mr Katter became Minister? Many of the Torres Strait Islanders would like to know more about the IIB. They hoped that it would come under their control, and they spoke to the Minister about it. The Minister was not game to tell

them that this sneaky provision is in the Bill. The Minister will not be game to show his face in the Torres Strait area. He should tell this enclave what the profits of the IIB were. I am pleased that the Minister took notice of the Opposition and moved an amendment.

I would like to show some of the Ministers the condition of the branch stores that the managers and staff have to work in. The stores are corrugated iron sheds stacked with goods that are quite often out of date because they are bought through the State Stores Board and they do not make it up to the Torres Strait area as fresh goods for the Islanders to consume. That is a terrible state of affairs. Many of the branch stores could use funds from the profits of the IIB. I would like to know when the under secretary will upgrade those stores. In my speech at the second-reading stage I mentioned the branch manager who was sacked by the under secretary. I am not sure whether the Minister heard that speech but that is a good illustration of the way in which the department plays round with the Island Industries Board. I would like the Minister to say something about where the profits will go, but I do not want him to say that they are distributed by the board with the approval of the Governor in Council.

Amendment (Mr Katter) agreed to.

Clause 58, as amended, agreed to.

Clauses 59 to 61, as read, agreed to.

Clause 62—Relinquishment of Board's assets to local control—

Mr SCOTT (5.29 a.m.): The Opposition is not happy with this clause. I do not understand what it means. I will be pleased to be enlightened by the Minister, but, instead, I suppose that he will say something that is not true. The clause provides that branch stores may be transferred to the ownership of people living on other islands. I am not sure what that means. Does it mean that an asset of the State is to be given to those people, will it be leased to them or will they have to buy it? The side-heading is "Relinquishment of Board's assets to local control", but a close reading of the clause indicates that it may be referring to local ownership. I am not sure. I will be interested to hear the Minister's explanation of whether or not it means that various branch stores are to be given over to the ownership of certain families in an island community.

If there is to be local ownership, the stores will be hived off from the Island Industries Board. Is the Minister saying on the one hand that he will let the Torres Strait Islanders virtually run the board and, on the other, that he will lock away the branch stores of the board?

The board is a very important organisation. It has its headquarters, its bulk store and its major retail outlet on Thursday Island. It also conducts operations on the outlying islands and at Bamaga.

It took many years for the Government to build the department store at Bamaga, but it is there. Similarly, the slaughterhouse was under construction for years. I hope that the Minister has a look at it. He should ask how long it took the department to build it. The department applied itself to the task for a while and it took some Works Department employees up from Cairns. However, when the manager lost interest, he went off the job for a few months and applied himself to other jobs. That shows the slapdash way in which work is carried out in the Torres Strait area.

The Minister should inspect the branch stores on the outlying islands. He should not leave that to the under secretary, who would like another little holiday staying at "Four Winds", where no-one else can stay, with his delightful company!

The Minister should look at the branch stores and the conditions under which the assistant managers have to work. He should experience the temperature inside the corrugated-iron walls and see how quickly the food deteriorates.

Which stores will be hived off? Will they be the new ones or the older ones?

Mr Bjelke-Petersen: How long does it take for the Aboriginal people to build their own stores and their own buildings?

Mr SCOTT: The Premier should go back to sleep. This Bill deals with the Islanders. The Premier knows nothing about it. He is concerned only for the people in Brisbane and the south-east corner of the State. He has given country people away. He does not even get his glamorous pilot to fly him round the State in the Government aircraft

any more. He is getting too old and too tired. It is time that he resigned and let a younger man take over. But which younger man could it be? Could it be the Minister for Education, who is asleep, or the Minister for Mines and Energy, who was passed over? Unfortunately, our gaze falls upon the Minister for Transport.

The CHAIRMAN: Order! The honourable member for Cook will not indulge in personalities. If he does not debate the clause, I will warn him under Standing Order 123A. If I order him to withdraw from the Chamber, that will put an end to his contributions to this debate. I hope that he realises that.

Mr SCOTT: Thank you, Mr Row. I am aware of the situation, but I was provoked. I believe that I am entitled to criticise when criticism is due—not that Government members are criticising me very well. I certainly do not have to stand here copping it.

Opposition members are totally against this clause.

Question—That clause 62, as read, stand part of the Bill—put; and the Committee divided—

Ayes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Booth
Borbridge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby

Harper
Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz

Newton
Powell
Randell
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 23

Campbell
Casey
Comben
D'Arcy
De Lacy
Eaton
Fouras
Goss
Hamill

Mackenroth
McElligott
McLean
Milliner
Prest
Price
Scott
Vaughan
Veivers

Warner, A. M.
Wright
Yewdale

Tellers:

Burns
Underwood

Resolved in the affirmative.

Clauses 63 and 64, as read, agreed to.

Clause 65—Entry upon and temporary stay in areas—

Mr HAMILL (5.40 a.m.): Clause 65 is a very important clause. The Opposition would seek to have rectified certain drafting deficiencies in that clause. I shall point them out to the Committee.

In doing so, I must adopt one of the Minister's tricks and refer to an earlier clause that has already been passed. In clause 63, the term "area", which is defined earlier in the Bill, is restricted to public parts of areas.

Clause 65 contains the potential for further derogation of civil liberties for those living in the areas. I believe that there is an unintentional omission on the part of the Minister in clause 65. It provides—

"The following persons are authorized to enter upon and to be in any area and to remain therein until the purpose of their entry to the area is fulfilled . . ."

It gives those rights to the Governor-General, the Governor, members of Parliament, candidates for political office and "a person who is assisting or is acting under the direction or control of a person referred to in the foregoing provisions."

The point is that if one construes the term "areas" in clause 65 according to the restrictive provision placed on that term in clause 63, it is quite clear that the sense of clause 65 gives an unfettered right to specified groups of people to enter upon and be in any portion of the total community area. Taken to its logical extent, that would allow the persons listed in clause 65 an unfettered right of entry to, for example, the dwelling-place of a person in that community. I am sure that the Minister had no intention of including the provision in that form. That is why the Opposition seeks to fill the gap. Obviously, it is a drafting error—one we could expect in view of the haste with which this legislation has been prepared and brought before the Parliament—and I am sure that if Winken, Blinken and Nod over there are awake, they will support our move. They are Ministers who would normally be very concerned about not allowing an unfettered right of entry to a person's dwelling-place.

I hope that the Minister will look favourably upon the Opposition's suggestion. We have sought the advice of Parliamentary Counsel on the matter. My colleague the member for Cook will be moving an additional clause that is very much in keeping with that which is already in the Bill. In no way does it derogate from the intent of the Bill. A new clause 65A is essential. I am sure that Government members, and the Minister in particular, would not see it in any other way. There is a glaring omission that I believe is detrimental to the privacy of people in the communities.

Mr SCOTT: I foreshadow that I will move an amendment to insert a new clause, clause 65A.

Clause 65, as read, agreed to.

Insertion of new clause—

Mr SCOTT (5.44 a.m.): I move the following amendment—

"At page 23, insert the following new clause to follow clause 65—

'65A. Rights of Owners and Occupiers. (1) Nothing contained in this part authorizes the entry of a person to a dwelling without the permission of the owner or the occupant.

(2) For the purposes of this Section "dwelling" includes the living area of a camp occupied by or belonging to an Islander.'

It worries the Opposition immensely that entry can occur as pointed out by my colleague the member for Ipswich. By this new clause, we intend to protect the rights of the owner or occupant. I urge members on the other side to vote for it. It is a very worthy provision.

Under the existing legislation, the director could very easily obtain an order from the local justices in the communities to enter and inspect the houses. It was a terrible state of affairs. There was no respecting of privacy. We are seeking to ensure that privacy is respected by the director, the under secretary, the agents or anyone else whom the Government might sool on to the people up there.

Mr HAMILL: I wish to elaborate on the amendment moved by my colleague the member for Cook. The amendment will fill a gap in the Bill. The provision is based on experience of the Northern Territory Government in relation to the protection of the privacy of people in communities of this nature.

It is undoubtedly a basic human right that people, whether they be the Governor-General of Australia, a candidate for political office or a person who is assisting or acting under the direction of a candidate or other person described in the clause, should be allowed to enter a dwelling place and remain therein until the purpose of their visit to the area is fulfilled. Those words could be construed as providing that those people could enter a place for what might well be an unlawful purpose—not that one would want to impute some unlawful purpose to the actions of those listed in the clause.

I suggest that the amendment is a worthy one. It could clear up any doubt that clause 65 and preceding clauses might derogate from the individual privacy of people in those communities. The amendment is in keeping with the overall thrust of the Bill, and I would be absolutely astounded if the Government found itself unable to accept the amendment. That really would be the last straw. In a number of other areas, the Opposition has instanced what it believes to be serious derogations of civil liberties and human rights. If the Government does not accept what I believe to be a very reasonable amendment, it will be the straw that breaks the camel's back.

Question—That the proposed new clause to follow clause 65 (Mr Scott's amendment) be inserted—put; and the Committee divided—

Ayes, 21

Campbell
Casey
Comben
D'Arcy
De Lacy
Eaton
Fouras
Goss

Hamill
Mackenroth
McElligott
McLean
Milliner
Prest
Scott
Vaughan

Veivers
Warner, A. M.
Wright

Tellers:

Burns
Underwood

Noes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby

Harper
Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz

Newton
Powell
Randell
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Resolved in the negative.

Clauses 66 and 67, as read, agreed to.

Clause 68—Power of Island Council to eject—

Mr KATTER (5.54 a.m.): I move the following amendment—

“At page 23, line 28, before the word ‘In’ insert the expression—

‘(1)’.”

Amendment agreed to.

Clause 68, as amended, agreed to.

Clause 69, as read, agreed to.

Clause 70—Deposit of savings with Under Secretary—

Mr KATTER (5.55 a.m.): I move the following amendments—

“At page 24, omit all words comprising lines 17 to 26 and substitute the words—

‘70. Deposit of savings with banker. (1) The Under Secretary is authorized to continue the facilities established as at the commencement of this Act in

areas for the acceptance by him of money deposited by Islanders by way of their savings and both he and the Island Industries Board are authorized to establish in areas new facilities of a like nature.

In this Part the person providing such facilities is called "the banker"

(2) The banker shall in the first instance pay all moneys deposited with him by Islanders by way of their savings—

(a) where he is the Under Secretary, to the credit of the trust fund established as at the commencement of this Act with the Commonwealth Savings Bank of Australia or such other trust fund or trust funds as he may from time to time establish for the purpose; or

(b) where he is the Board, to the credit of such trust fund or trust funds as it may from time to time establish for the purpose.'";

"At page 24, line 27, omit the words—

'Under Secretary'

and substitute the word—

'banker'";

"At page 24, line 34, omit the words—

'Under Secretary'

and substitute the word—

'banker'";

"At page 24, line 38, omit the words—

'Under Secretary'

and substitute the word—

'banker'."

Mr SCOTT: The Government has had second thoughts. Certainly the Opposition would have been seeking to amend this clause. It just was not the place for deposits to be with the under secretary, and I mentioned that in my speech during the second-reading debate. Now the reference has been changed to "banker", and so it should be.

I am concerned about what happens to moneys in that area. So many instances have been brought to my attention in which people have asked what has happened to estates. I simply do not trust the director in any role at all. By making him under secretary, I would not trust him any further. It is not possible to find out what happens to people's estates. It is probably not possible to find out what happens to their savings.

Earlier I mentioned a letter to which the Minister has not replied. It concerns the case of a widow at Weipa South. It has taken years to try to resolve her estate, and that troubles me greatly. That is only one of the many cases that are brought to my notice. I realise that the Minister cannot do anything for some of these people because too much time has elapsed. The matter has been constantly on their minds. They have asked me what I think about it and whether I think that something would have gone wrong at the time or whether they did not have the money that they were supposed to have. I am very suspicious. When we become the Government of this State, that is one of the first matters into which we will inquire.

Mr Tenni: You will be an old man by then.

Mr SCOTT: No. It will be only another couple of years. The first thing that I will do is look at the files at the office of the DAIA. In fact, last October I gave serious thought to what would happen if we were elected to Government. I would have ensured that a policeman went to that office straight away to see that files were not burnt, tampered with or otherwise destroyed. That is obviously what would happen. That is one area of the Government's administration that should be exposed to the public gaze. Each Minister in this portfolio is not prepared to do that.

Mr Katter: Oh!

Mr SCOTT: It is all right for the Minister to sigh. He does not listen to the ordinary Islanders and Aborigines who come and ask me what has happened to their estates. The Minister should hang his head in shame, too. It is a very unsavoury business. So much has been swept under the carpet that it is a wonder anyone can walk on it without toppling off. It is not good enough. Replacing the under secretary with a banker will not overcome the problem. It is only a machinery provision. Who will be the banker, anyway?

Amendments (Mr Katter) agreed to.

Clause 70, as amended, agreed to.

Clause 71, as read, agreed to.

Clause 72—Investment of moneys by Under Secretary—

Mr KATTER (6.2 a.m.): I move the following amendments—

“At page 25, line 9, omit the words—

‘Under Secretary’

and substitute the word—

‘banker’ ”;

“At page 25, line 12, omit the words—

‘Under Secretary’

and substitute the word—

‘banker’.”

Amendments agreed to.

Clause 72, as amended, agreed to.

Clause 73—Administration of Islanders’ estates—

Mr SCOTT (6.4 a.m.): The Opposition is not happy with the clause and will be voting against it. I spoke previously about savings and what I said then can be applied to this clause. Opposition members are not happy with the administration of Islanders’ estates. That job should be done by the Public Trustee Office. Government members have tried to tell us that this legislation brings the Islanders closer to 1984, but their claim lacks substance. Once again I say that the Minister will not be able to look Torres Strait Islanders in the eye.

Mr HAMILL: The intention here is to bring the conditions of the Islanders up to 1984. In line with George Orwell’s writings, the Islanders have been living in 1984 for a long time already. This Bill does nothing to alleviate those conditions, in which they live under Big Brother.

The Bill purports to give a greater measure of autonomy and freedom to people. In fact, it takes away important freedoms and discriminates against the Islanders. This clause is a very good example of that.

I will ask the Minister a few questions—not that I expect any answers, because he is still having trouble tuning in. However, I ask: Why should the Islanders be treated differently from other Queenslanders? The Government has told us that all Queenslanders should be given the same treatment under the law. Why should the under secretary—this man for all seasons; this former director, now banker, now under secretary—be considered to be in a better position than anyone else to administer Islanders’ estates? Why is he, a veritable Pooh-Bah of the public service, in a better position than the Public Trustee to administer estates? Why should he be able to extinguish the legal title of a person who might have the right to succeed to an estate? I realise that the Government does not pay much regard to conflict of interests. However, this provision gives rise to the possibility of conflict of interest.

Mr Underwood interjected.

Mr HAMILL: The Minister for Local Government, Main Roads and Racing is a Pooh-Bah.

The CHAIRMAN: Order! The honourable member will come back to the clause.

Mr HAMILL: I apologise, Mr Row.

Why should the under secretary be able, firstly, to determine that no person is entitled to succeed to all or any part of the estate, when at the same time he can have the proceeds of the estate vest in him and, secondly, to exercise a discretion to grant aid to any Islander from those proceeds on such terms and conditions as he thinks fit?

The laws of Queensland are more than able to cope with the circumstances of intestacies. It happens day in, day out for ordinary Queenslanders. The Government should not be in the process of setting up specialised provisions vesting estates in the ubiquitous under secretary. His name appears constantly throughout the Bill as the ministerial alter ego, when there are perfectly good laws in this State to cope most adequately with the matters at hand.

Mr De LACY: In his reply the Minister said that the Opposition missed the whole point of the legislation. I put it to the Minister that he has missed the whole point of our objection, and it relates to the whole thrust of paternalism. When I was first given the Bill, I leafed through it. I could not believe that the whole essence of paternalism that has pervaded the administration of Aborigines over the last century in Queensland had not been removed. The Government continues to make them dependent and then accuses them of being dependent. That is typified in all the provisions of the legislation that I have examined tonight.

The CHAIRMAN: Order! The Committee is debating clause 73.

Mr De LACY: That is clause 73.

The CHAIRMAN: The honourable member can refer to clause 73.

Mr De LACY: Clause 73 is one of the dependency-instilling provisions of the Bill. The fact that we must make special provision under clause 73 for Islanders to have their estates administered by the under secretary indicates what the Opposition is saying. It is paternalistic and unnecessary. A system exists in Queensland under which the Public Trustee accounts for these matters, and that is the way that it ought to be.

Mr HAMILL: The office of the Public Trustee features in clause 73, which is before the Committee for consideration. An honourable member opposite interjected that the reason why the under secretary will be given all that power over intestacies is that the Public Trustee could cause some charge to be made against the estates of those people. I suggest that if the Government is really fair dinkum about the Public Trustee making a charge not only in the case of Islanders or Aborigines—I presume a similar provision will be included in the Aborigines legislation—but also in the case of any other Queenslanders in need, the Public Trustee should be put into the business of providing legal handling of estates free or at minimal cost. If Government members were committed to providing—

Mr Scott: They are rich people; they do not care about it.

Mr HAMILL: I know that. That is the problem. If all Government members were committed to providing equitable treatment for all Queenslanders, whether they happen to be black, white or brindle and living in the Torres Strait area or in Brisbane, they should be in the business of making sure that the Public Trustee is available to all.

Mr Underwood: The Minister said that the people on reserves are equal in every respect.

Mr HAMILL: They are equal while they are on the reserves, but if they go off the reserves they will find out what second-class citizens they are.

Mr GOSS: One aspect of clause 73 that concerns me is the provision under which the under secretary, whether or not he is administering the estate, may determine who is entitled to succeed to an estate, particularly in a case in which it is impracticable to ascertain the person or persons entitled in law to succeed to the estate. As far as I am

aware, that has not been covered yet. I wonder what the legislation envisages in that regard. Is it the people who live next door? Is it other people in the same community selected at random? Is there any possibility that it could go into consolidated revenue? What does the legislation envisage in terms of who the under secretary decides will succeed? No criteria are spelt out in clause 73, so presumably the under secretary or the Minister has some idea as to how that matter will be determined. Is the Minister able to respond to that?

Mr Katter: No.

Mr GOSS: Why not?

Mr Katter: The clause explains it quite adequately. If you can't understand it, I'm afraid I cannot help you.

Mr GOSS: I am disappointed at the Minister's response. It says—
Government Members interjected.

Mr GOSS: Is the Minister responding?

Mr I. J. Gibbs: We are waiting with bated breath on your wisdom.

Mr GOSS: I invite the Minister to listen.

The under secretary has an absolute and wide-ranging power to determine which person or persons shall be entitled to succeed. No provision lays down anything in terms of any relationship, alleged relationship, friendship or any association whatsoever whereby a person could be singled out for a benefit. I am wondering to whom it will be given. Is it to be given to the agent, or whatever term the Government is using these days? Is it to be given to the office-bearers of any organisation? Is it to be given to a charity or some other organisation that carries out good works in the area or reserve? Is it to be given to Mr Killoran or his niece, the Minister's cousin or whomever? It is an absolutely wide-ranging power.

Surely the Minister has some idea what will be done with the money. The Minister has the power to spread wherever he likes money that belongs to an Aboriginal or Islander citizen. He is able to appropriate it to any person in the community. No guide-line is spelt out. The Minister must have something in mind. The Aboriginal and Islander people of Queensland are entitled to know what he has in mind. He has not consulted them so far in any real sense. Why not tell them what he has in mind? What lies behind this slick facade?

Mr UNDERWOOD: The Minister's silence indicates that he has not considered the points raised by the Opposition on clause 73. Clearly, he should take the Bill away and reconsider the implications.

Mr Scott: A deafening silence.

Mr UNDERWOOD: Deafening silence, indeed! He has told us that the intent is clearly outlined in the wording of clause 73.

Mr Comben: It is quite understandable that he would be silent. He does not know his job.

Mr UNDERWOOD: That is right. Quite clearly, there has been no consideration.

On too many occasions we have been made aware of the DAIA's policy of divide and rule. That is a tactic of the Government, too. Quite clearly, under the new Department of Community Services, the same old tactics of the DAIA will be employed. The divide and rule tactic will be employed not only against families but also against various elements of both Aboriginal and Islander communities. If that is not so, it behoves the Minister to dispel our fears by telling the Parliament and the communities involved exactly what guide-lines will be followed for the administration of the estates of Aborigines and Islanders.

The Minister is twitching, but he will not dispel our fears. The Parliament can assume that the problems set out by the Opposition are real.

Question—That clause 73, as read, stand part of the Bill—put; and the Committee divided—

Ayes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby

Harper
Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz

Newton
Powell
Randell
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 23

Campbell
Casey
Comben
D'Arcy
De Lacy
Eaton
Fouras
Goss
Hamill

Mackenroth
McElligott
McLean
Milliner
Prest
Scott
Vaughan
Veivers
Warner, A. M.

Wilson
Wright
Yewdale

Tellers:

Burns
Underwood

Resolved in the affirmative.

Clause 74—Supply of beer in areas—

Mr SCOTT (6.24 a.m.): The Opposition opposes the clause, which provides for the supply of beer in areas. Once again, it uses that dreadful term "in areas". The Bill does not even speak of the supply of beer in a town or to people. It is as if it will be supplied in some low-down places that the Minister is not game to mention. The clause is a scandal.

The Minister denigrated the wet canteens on the communities. He called them galvanised-iron sheds. He knows what they are like. He has made it plain what he thinks of them. He is not going to worry about good facilities and services for the people for whom he is responsible.

What about the magnificent hotel at Kowanyama? The Minister denigrated it by saying that it is a corrugated iron shed. I know how many years it took to build, so the Minister should not forget about it. The people in the communities are proud of the facilities that they have in spite of what the Government does not do for them. They try to do the best possible with the little that they have available to them. No canteens are being constructed on the outer islands, so this clause will not have much application to them.

We are not happy about the way that wet canteens are used in the politics of the department. If the department does not like the way a community is going and wants to blame what is happening there on the wet canteen, the director closes it down. This very strong provision means that the director can claim that—

"the sale and supply of beer from premises established in an area pursuant to this section is, directly or indirectly, the cause of regularly occurring disorder or breaches of peace in the area; or

beer is regularly taken away from such premises in contravention of subsection (5) . . ."

If he does he can take the draconian step of closing down the canteen. He can write to the council asking why the canteen should not be closed down. Of course, that will be done on the under secretary's terms. He has done that constantly over the years to upset people for whom he develops a dislike. He does it to play one group off against another. He uses the supply of alcohol as a weapon with which to beat the people. He has no real concern for them. I recall a couple of Christmases ago when Ken Jimmy, chairman at Kowanyama, was waiting to find out whether the under secretary had made a decision to close down the canteen and, if so, for what period. The under secretary had that power then, and he still has it. He should not have that power.

An Opposition Member: It was before Christmas.

Mr SCOTT: Yes. He would even deny them their Christmas cheer. He is a bitter old man. We believe that most of the provisions of the Liquor Act should apply to these wet canteens. The Minister told us constantly last night and this morning how much closer he had taken these communities to 1984. This clause is evidence that he has not. All he is providing are these wishy-washy provisions for the supply of beer. Only section 81 of the Liquor Act and the draconian provision which allows the under secretary to play round with beer supplies on the communities apply. We are totally opposed and we will be voting accordingly.

Mr HAMILL: As the honourable member for Cook has already pointed out, we are dealing not with local authorities but with these artificial areas. It is interesting to note that although the Minister likes to point out that these areas with which we are dealing are local authorities, clause 74 (2) states—

"If the authority conferred . . . shall be exercised as a function of local government."

So the provision of grog is now a function of local government, or what is regarded as local government for only a very select section of the Queensland population. Furthermore, we still have our old friend the Pooh-Bah. He now has another title. Not only is he director, under secretary and banker, but he is also now the licensing commissioner, because clause 74 (1) states—

"An Island Council, with the Under Secretary's approval first had and obtained . . ."

So the under secretary is now the licensing commission as it affects the Torres Strait communities.

The under secretary must be a very talented gentleman to be able to carry out so many different functions, as he will have to do under this legislation. I was bitterly disappointed by the Government's total intransigence in relation to the provision that allows an Islander the right to deny a person entry to his dwelling-place. But hope springs eternal!

If the clause were deleted, the Government could move towards regularising the law in Queensland much in line with that which exists in the Northern Territory. The Opposition is not moving an amendment, of course, but we are arguing that the Liquor Act, which seems to be a perfectly good instrument to govern the provision of liquor to other Queenslanders, could be applied to communities that have been set aside by this legislation.

If necessary, amendments could be made to the Liquor Act to allow Aboriginal or Islander communities to have their areas declared restricted areas for the purposes of the Act. In the short term, the Liquor Act itself could apply. That is the way in which it is done in the Northern Territory. In fact, it is a provision of the conservative Government that holds sway in Darwin. I thought that a lot of common philosophies existed between the Government in Darwin and the Government in Brisbane. I would have thought that, in the interests of regularising the law and not continuing to make a mockery of this Bill, the Minister could have supported the Opposition's contention that clause 74 should be deleted and that the Liquor Act should apply. Where amendments to the Liquor Act are necessary, those amendments should be introduced forthwith.

Mr GOSS: I support what the last two speakers have said, and I refer in particular to the provisions set out in subclause (6).

Again, we see the all-powerful position of the under secretary—the grand Pooh-Bah, as the previous speaker called him. His power has been abused in many communities in the past. As some speakers have said, it is used as a stick with which to beat people over the head. It keeps them in line. It is a means of controlling the communities and the lives of the people on them.

Mr Underwood: The Premier just admitted that by telling us not to worry about it when we debated the last clause.

Mr GOSS: That has always been the attitude of the Premier. He says, "Don't worry about it", and pats people on the head. That paternalistic attitude has been a great tragedy in this State for a long time.

I come back to a point that the Minister has raised on many occasions. He claims, wrongly and, I think, deliberately, that we do not want people to have any responsibility. In this instance, responsibility is being taken away from people. The final responsibility, in quite a detailed way, rests with the under secretary. While that final responsibility under clause 74 (6) rests with the under secretary, people will never get the opportunity to develop their own real measure of responsibility. Quite deliberately, this provision is calculated by the under secretary, agent, director—whatever one calls him—to erode the self-confidence of the people on the communities, their ability to be self-determining and, finally, any prospect of their developing their own sense of responsibility.

I am also of the view that it is a dramatic indictment of the competence of the Minister for him to come in here, as he did, and say that he knows there will be problems with the provision. The Government has had years to consider this problem and to come up with the legislation. The Minister has had his grand circus caravaning round the State, consulting, so he says. Why has he not been able to do a better job? The legislation is introduced at the eleventh hour, and still he has not got his act together. He concedes that further amendments will have to be introduced. It is disgraceful; in fact, it is nothing short of gross incompetence.

Question—That clause 74, as read, stand part of the Bill—put; and the Committee divided—

Ayes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby
Harper

Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz
Newton

Powell
Randell
Row
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 23

Campbell
Casey
Comben
D'Arcy
De Lacy
Eaton
Fouras
Goss
Hamill

Mackenroth
McElligott
McLean
Milliner
Prest
Scott
Vaughan
Veivers
Warner, A. M.

Wilson
Wright
Yewdale

Tellers:

Burns
Underwood

Resolved in the affirmative.

Clauses 75 and 76, as read, agreed to.

Clause 77—Obstruction, intimidation and assault—

Mr SCOTT (6.40 a.m.): This provision is the most obnoxious in the Bill. It provides as follows—

“A person shall not assault or wilfully obstruct or intimidate, or attempt so to do, another in the discharge or exercise by that other of his functions, duties or powers under this Act.”

As Opposition members have said so often during this long night and morning, the Bill contains many provisions that Islander people will find antagonistic towards them. It will raise the hackles of any person who lives in the Torres Strait area. Someone would only have to raise his eyebrow against an agent of the Department of Community Services—by that, I mean the manager or the under secretary—and he will be fined \$300. That provision is scandalous.

In my six years in this Chamber I have seen some dreadful measures passed by Parliament. They would be more appropriate to Nazi Germany. The essential services legislation, which the Government is not game to use, is one such measure. The Premier winds up his Government to introduce these dreadful provisions.

The TEMPORARY CHAIRMAN (Mr Booth): Order! I remind the honourable member for Cook that the Committee is not discussing the essential services legislation. He will stay within the confines of the clause.

Mr SCOTT: I will stay within the confines of the clause, all right. It refers to obstruction, intimidation and assault.

I could give many reasons why people may have the appearance of obstructing, intimidating or assaulting. Do not forget that police—not the Island police, but the other police—will be travelling round the islands. They will be the ones who the agents in the Community Services Department will soil onto people. A person needs only to raise an eyebrow and he will be fined \$500. As if that is not bad enough, that person has the additional ignominy of being hauled before the court for something that he would not even understand. If a little bit of my Irish temper came to the fore, I would be charged with obstruction, intimidation and assault.

Anyone who wanted to put forward very firmly a point of view on any of the onerous provisions in this legislation, or on any of the very loose requirements that allow an agent of the department to move into a large number of island activities, could be charged with intimidation, obstruction and assault. That is a scandalous state of affairs. Opposition members are very much opposed to this clause.

Mr HAMILL: I rise to make one point very briefly. If the comments made by the honourable member for Cook are read in conjunction with clause 82, the full force of this very pernicious provision will become apparent. It strikes deeply at the civil liberties and human rights of people in the designated areas. This provision should be struck out.

Question—That clause 77, as read, stand part of the Bill—put; and the Committee divided—

Ayes, 39

Ahern
Alison
Bailey
Bjelke-Petersen
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby
Harper

Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechie
McPhie
Menzel
Muntz
Newton

Powell
Randell
Row
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 24

Campbell
Casey
Comben
D'Arcy
De Lacy
Eaton
Fouras
Goss
Hamill

Mackenroth
McElligott
McLean
Milliner
Prest
Price
Scott
Vaughan
Veivers

Warner, A. M.
Wilson
Wright
Yewdale

Tellers:

Burns
Underwood

Resolved in the affirmative.

Clause 78, as read, agreed to.

Clause 79—Proceedings for offences—

Mr SCOTT (6.49 a.m.): The ubiquitous under secretary rears his head again in clause 79.

Mr Prest: That is the ex-director.

Mr SCOTT: Yes, the ex-director of the DAIA.

When this most draconian summons for obstruction, intimidation or assault is issued, one can be certain who is behind it. The summons will be issued by the under secretary of the department or a person authorised by him in writing, who will be an agent. Those people will be sooled onto the Islander people. That is what the Premier is doing.

Mr Bjelke-Petersen: That is very good.

Mr SCOTT: That is a terrible state of affairs. I ask the Premier why he is doing it.

Mr Bjelke-Petersen: It is a very good state of affairs.

Mr SCOTT: I am pleased to note that the Premier has taken over the conduct of the Bill. I admit that the Minister has not been doing much of a job, but it is a little unkind of the Premier to take over in the dying stages.

As I said earlier in relation to the provision that referred to the line of justice from the Island Courts, people do not know how to appeal against decisions. In the Torres Strait area they certainly will not understand how to take appeals against proceedings for offences under clause 79. We voted against all of the provisions in the Bill when we voted against the second reading. We certainly include in that vote the clause dealing with proceedings for offences. It is a dreadful clause and again one that the Minister will have the greatest difficulty in justifying when he goes into the Torres Strait area. I will be very interested in his trips up there. He will be constantly under fire. He promised that the legislation would be suitable for the people. He did not show it to them. Now they are stuck with these onerous provisions that he and his department will not hesitate to use.

During the debate I have given the example of how people are treated at Cherbourg, which is in the Premier's electorate. A man who was \$18 in arrears with his electricity account received a visit from the manager and a letter indicating that he was likely to be hauled before the court in Murgon. That is what happens to Aboriginal people in the Premier's electorate. It is a terrible state of affairs. The same sort of draconian measures apply under the clause dealing with proceedings for offences.

Mr KATTER: I rise to a point of order. He is right off the clause again, Mr Booth.

Mr SCOTT: Under this clause the same draconian measures will be taken against the people of the Torres Strait area. That is how sympathetic the Minister is. He is attempting to stop me speaking about the clause. That is an indication of the sympathy that he has for Torres Strait people.

Clause 79, as read, agreed to.

Clause 80, as read, agreed to.

Clause 81—Regulations—

Mr KATTER (6.53 a.m.): I move the following amendment—

“At page 30, line 4, after the word ‘Secretary’ insert the words—
‘or the Island Industries Board’.”

Mr SCOTT: I will ignore the little bit of dressing up proposed by the Minister. Once again the Minister has been required to move an amendment as a result of the slackness of himself or his director.

I wish to address a few remarks to the regulations. As I have pointed out, the regulations under the Aborigines Act and under the Torres Strait Islanders Act are contained in a document that is just as thick as the Acts themselves. We can assume that the regulations proposed under the Bill will be multitudinous and quite onerous. Of course, we have not yet seen them, which is one of the problems when debating legislation such as this. It is not so bad with some of the other legislation. One accepts that regulations are provided for and we keep a watchful eye on them. However, the people covered by this legislation will be hard pressed to obtain a copy of the regulations. I will be providing them with a copy, of course, but we have to wait until we see the regulations before we can show them the rest of the legislation.

Mr Tenni: It's your job as a member of Parliament.

Mr SCOTT: Of course it is my job, and I do it adequately, which is why I am returned time and time again as the member for this area, but when will I receive a copy of the regulations?

Government Members interjected.

The TEMPORARY CHAIRMAN (Mr Booth): Order! I ask that there be a little less noise so that we may proceed with the business.

Mr SCOTT: The clause provides—

“The Governor in Council may make regulations not inconsistent with this Act with respect to—

1. the functions, duties and powers of the Under Secretary and officers of the Department—”

those dreaded agents again—

“and the manner of discharging or exercising those functions, duties and powers”

The further draconian measures under this legislation will appear in the regulations provided for in that part of clause 81.

The clause states the powers and duties of returning officers; but the Government has not stated who the returning officers will be. In the other shires, it is usually the shire clerk. The Minister states that the Torres Strait areas are approaching local government, but he has not graced those areas with a shire clerk. Because they are funded by the Commonwealth Government, the areas have clerks who assist the councils.

Mr Katter: You are so far out of touch, it is unreal.

Mr SCOTT: The State Government does nothing for the clerks up there. I know them all personally. In fact, the department obstructed the training of those clerks. On numerous occasions when the Commonwealth Department of Aboriginal Affairs has tried to implement training programs, the director of the DAIA has instructed that those people not be allowed to participate in the training programs. That is an example of the co-operation and incentive for advancement that the Queensland Government gives the people of the Torres Strait.

Another provision relates to the filling of casual vacancies in the membership of those councils. Are there not to be elections for casual vacancies in the same way as is provided in the Local Government Act? That is an example of how far along the line the Government has gone towards local government. The Bill is a long way away from it, and the Minister knows that.

The Opposition is very concerned about the mining that will occur. Under the present Act, the director—that corporation sole; that wonderful protector of the rights of Aborigines and Torres Strait Islanders—is the one who decides whether mining will take place. However, the Bill does not even mention mining. It refers to protection from fishing and hunting, which is limited to a catch for person's private use. What about quarry rights and mining rights? Who will say whether mining may occur? There is no protection; there is no overall trustee of those reserves. Will authority to consider mining be given to the trustees of the deeds of grant in trust? I hope that will be the case. If it is, it will be the closest the Minister has come towards giving the people up there any authority. But there is no reference to that in the regulations, which the Opposition has not even seen.

Mr McPhie: Well, stop talking about them. Stick to the Bill.

Mr SCOTT: If the honourable member cannot follow it, he should not worry. I will guide him in the right direction.

The 21 items in the clause are simply a loose list. The Opposition would like a great deal more detail, but it cannot find out anything more. There is so much that I will not be able to tell the Islander people who reside in Brisbane, in all the centres up the coast and, in particular, in the Torres Strait. They will ask about the onerous provisions of the regulations. They have seen the regulations that have applied to the present time. They know that their day-to-day lives are controlled by the regulations and by the powers that those regulations give to the director and his managers or, under the Bill, to the under secretary and his agents.

I am quite certain that the Minister did not speak to the Torres Strait Islanders about the regulations. They know a great deal about the regulations and they would have given a great deal of advice to the Minister. Obviously, no notice has been taken, because these 21 provisions are in the Bill and the Opposition is not happy about that. The Opposition has voted against the Bill as a whole, and it will vote against it again as a whole.

Mr GOSS: I find the extent of control given to the Minister and the Government in this clause staggering.

Mr Goleby: If you do not sit down in a minute, you will be staggering.

Mr GOSS: The Minister has not even managed to stand up, so he is in no position to talk about staggering.

The clause does not simply provide 21 very broadly defined categories. The last two are simply blank cheques. They state—

“20. all matters required or permitted by this Act to be prescribed and in respect of which the manner or prescription is not otherwise provided for; and

21. all matters and things for which it is necessary or convenient to provide for the proper administration of this Act or for achieving the objects and purposes of this Act.”

It is open slather for the Governor in Council, which, as honourable members know, means that the under secretary can do what he likes to control absolutely every facet of social, commercial and administrative activity on those areas, reserves or whatever one wishes to call them. The Government has had the same sort of approach in the past with its regulations, and the people can see that in this legislation the real power, as always, lies elsewhere.

Mr McPHIE: I rise to a point of order. The last two speakers have been making a point about the many provisions in this clause and how over-restrictive they are; but at the beginning it says, “The Governor in Council may make regulations . . .” It is not mandatory.

The TEMPORARY CHAIRMAN (Mr Booth): Order! There is no point of order.

Mr GOSS: I agree with you, Mr Booth, that the point of order was quite irrelevant. What I was saying when I was irrelevantly interrupted was that clause 81 indicates quite clearly to all of us that a similar approach is being adopted and that the real power in every facet of their daily lives lies elsewhere.

Mr McPhie: They may make them; they don't have to.

Mr GOSS: So what? "May make" just means that they have the power to act. If one looks at their past record, they have had the power to act in this way and they have availed themselves of it to control every aspect of day-to-day life on these areas, reserves, settlements, pens, yards—whatever one wishes to call them, and probably all those terms are interchangeable. Why not give the council more powers—

The TEMPORARY CHAIRMAN: Order! I think the member is now straying from the clause.

Mr GOSS: No, I am not.

The TEMPORARY CHAIRMAN: Order! I think that the honourable member is. There is no suggestion there that the councils have the power, and I suggest that the member keep to the clause.

Mr GOSS: I agree with you, Mr Booth. I am not suggesting that the councils have the powers. I am suggesting that the powers and areas mentioned in clause 81 are the sort of powers and areas for which responsibility could be given to local councils. That is the approach that should be adopted, but it is not the one that is being adopted.

Finally, I refer to the comment made by the honourable member for Cook in relation to the consultation that has allegedly taken place. People, particularly on the islands, have had experience of these regulations before, and I would be interested to see whether the Minister is prepared to place on record the comments he has had from various island communities in relation to the regulations and the powers that they wanted.

Ms WARNER: This seems to me to be the most fundamental aspect of the whole Bill. We could simply tear out this page, throw the rest of the Bill away, and have the general effect of the Bill enshrined within this clause. It states that the Governor in Council may make regulations, which, in the simplistic opinion of the honourable member for Toowoomba North (Mr McPhie), means that the Governor in Council will not make regulations. That does not seem to follow at all. If that is to be the case, why does the clause not say that he may not make regulations?

What the Opposition has been complaining about is the discretionary powers given to the Government—not necessarily in every case—over all the councils. It is that discretionary power which is so dangerous, which can be used and experienced so arbitrarily as it has been in the past. That is why clause 81 really sums it all up. It sums up the Government's overall attitude. The rest of the Bill is just like icing on the cake.

The Government, as usual, is using its jackboots to make laws in respect of people who it says should have self-management. The Minister used that word earlier. However, that is not the case. The Government has the power, and it is enshrined in clause 81. That, in itself, is enough to condemn this whole legislation.

Mr FOURAS: I have a simple question that I hope the Minister will answer. Will the regulations be tabled and will they be subject to disallowance? I hope that the Minister can get his brain working and answer that question.

Mr UNDERWOOD: It is interesting to look at parts 3 and 4 of this clause. They state—

"3. the development, assimilation and integration of Islanders;

4. the skills development, training and employment of Islanders;"

The Minister boasted, with pride, that he had had extensive discussions with the Cattlemen's Union. He did not mention the United Graziers Association, but I presume that he met with that organisation, too. The Government has boasted that it did not seek the advice of the National Aboriginal Council.

Mr Katter: It is a federal body.

Mr UNDERWOOD: It has local representatives throughout Queensland.

Mr Katter: So has the Federal Government. What has that got to do with us?

Mr UNDERWOOD: I would have thought that with such wide-ranging legislation as this—

Mr Katter: You thought wrongly.

Mr UNDERWOOD: That appears to be the case, and it is a very sad state of affairs. On a number of occasions we have asked the Minister to answer questions, and he has not done so. He is giving himself wide powers through the Governor in Council. He will govern every aspect of a person's life, and he has not consulted all available organisations, in particular the NAC, whose members are democratically elected under the rules of the Australian Electoral Office. He cannot dispute the results. On the other hand, the Minister has sought advice from the UGA and the Cattlemen's Union. In fact, he boasted about it. He has made it quite clear that his policy is based on their views.

The TEMPORARY CHAIRMAN (Mr Booth): Order! I think that the honourable member is straying from the clause altogether. The clause concerns regulations, and I ask the honourable member to deal with them.

Mr UNDERWOOD: Mr Booth, I agree with you. I am pointing out how the regulations will be developed in line with the views of the UGA and the Cattlemen's Union, and they are contrary to the views espoused by the people's own representatives.

Mr KATTER: I rise to a point of order. I stated earlier that I had approximately three hours of discussions with a number of bodies, such as those that have been mentioned. I have had about 400 hours of discussions with about 3 000 people on the reserve areas. It is a pity that the member for Cook did not do the same.

The TEMPORARY CHAIRMAN: Order! The Minister has given the honourable member an assurance that he has had considerable discussions with the Islander people, and I ask the honourable member to withdraw that last remark.

Mr UNDERWOOD: I will have to accept that. I have been going on the Minister's comments, the comments of other members and the comments of the Aborigines and Islanders to whom we have spoken about the types of discussions that the Minister has been having, or not having and boasting about not having.

Mr KATTER: I rise to a point of order. Once again the honourable member has misrepresented the position and said something that is extremely offensive to me. He said that I had boasted about saying that I had had no discussions. I ask him to withdraw that remark unequivocally.

The TEMPORARY CHAIRMAN: Order! The Minister finds the remark offensive, and I ask the honourable member to withdraw that last statement.

Mr UNDERWOOD: I will withdraw unreservedly. I am pleased that I have made the Minister get off his backside twice.

Finally, the Minister was able to get one of his back-bench members, the member for Toowoomba North, to get up and defend him. It is disgraceful that the Government cannot defend its own actions.

I congratulate the Opposition spokesman for the excellent job that he has done on behalf of the Aboriginal and Islander people in protecting them against the Government's injustices.

Mr FOURAS: I asked the Minister before whether these regulations are subject—

Mr Katter: I give the honourable member an assurance that I will provide that information at a later stage.

Mr SCOTT: I have been waiting for the Minister to make a considered statement about the very valuable contributions that have been made by Opposition members. He has only seen fit to reply by way of interjection. It is a while since he had his last glass of milk and a sandwich, and he is stirred up again and is starting to interject.

The Opposition is concerned about paragraph 12 of this clause which refers to trading hours in premises established pursuant to clause 74, the bringing of liquor into certain areas and the presence and consumption of liquor within those areas. The Government would not accept the Opposition amendment to clause 74. The Bill provides that, after four years has

elapsed, a report will be presented to the Minister by the under secretary about the operation of the wet canteens. For four years the Islander people will have to live with this provision. The Opposition and the Islander people are concerned about it. The member for South Brisbane has very validly tried to find out when these provisions will be repealed.

Mr Katter: I have given the honourable member assurances twice during the course of this debate and my department will be looking at this provision, among others, long before the four years pass.

Mr SCOTT: Why is that provision in the Bill at all? The Minister has amended so much of this legislation already, why was that clause not amended? Is it in the Bill for a spurious reason? It is a shame that the Bill provides that four years must pass before the provisions lapse.

Amendment (Mr Katter) agreed to.

Clause 81, as amended, agreed to.

Clause 82—Assistance to Island Councils—

Mr SCOTT (7.13 a.m.): I take this opportunity to thank the Chairman of Committees (Mr Row) and the Temporary Chairman (Mr Booth) for their patience.

Mr Wharton: That has nothing to do with clause 82.

Mr SCOTT: The Leader of the House does not want me to thank the chairmen for the consideration that they have shown to members of the Opposition. In spite of him, I intend to thank them.

The TEMPORARY CHAIRMAN (Mr Booth): Order! I admit that I would be pleased to receive the honourable member's accolade but I think that he should proceed with the Bill.

Mr SCOTT: I take your advice, Mr Booth. You can accept that that accolade is meant in a very genuine way. You have been particularly patient because you have been in the chair during the most trying hours of this debate.

Clause 82 contains a provision that will be foisted onto the Island Councils whether they want it or not. The Bill does not give them any provision to reject it. When I consider the onerous provisions of obstruction, intimidation and assault, I cannot see how the Island Councils cannot receive this wonderful assistance, if that is what it is. Once again, the under secretary is mentioned. The clause reads as follows—

“Each of them, the Minister and the Under Secretary is authorized to provide to any Island Council, from the resources of the Department, such assistance by way of—

- (a) making available the services of officers of the Department; or
- (b) financial aid”.

Part (a) refers to when the manager runs the affairs of the councils, but it has been dressed up in this clause. Financial aid has to be forthcoming.

Mr Austin interjected.

Mr SCOTT: Yes, “We are from the Government; we are here to help you.” This will be the “man in the grey flannel suit”, who is the under secretary.

The TEMPORARY CHAIRMAN (Mr Booth): Order! The honourable member has foreshadowed an amendment. He should speak to it.

Mr SCOTT: There is nothing in this provision about councils asking for assistance. This assistance is nothing more than the intrusion by the manager into the affairs of the council. Allegedly, the legislation tries to keep him at bay. In spite of long years of training under the director, those managers will play the role of intruding into council affairs.

On the outer islands, how will the councils get anything done if they do not telephone the manager on Thursday Island? In the old days, if it had not been for Commonwealth intervention, a telegram had to be sent to Thursday Island. The manager on Thursday Island could ignore it. If parts were needed for a pump, eventually they might be sent out on a boat, such as the “Melbidir”—if it was not being used for a

ministerial fishing trip—but in the meantime the water did not flow through the pipes on the island. The white manager on Thursday Island, of course, did not give a damn, because he got his water from the Torres Shire Council.

When he was eventually able to find time to do something for the councils was the best they had to put up with, and all they had to put up with. These days, at least, they are able to use the telephone so they can stir him more often.

The Islanders are becoming more educated in the ways of the world. Thank goodness for that! They have had to protect themselves against the depredations of the Government. They have had to learn how to protect themselves. In the Bill I see the skeletal outline of something that they can use. I hope they do use it.

Over the years, all the department has done is hold them back. It will continue to do that by foisting a manager onto a council.

I come back to obstruction, intimidation and assault. I wonder whether that provision extends to a telephone call. If someone rings the under secretary because he has been told that he must have the under secretary out to the island to examine the council's affairs, and if that person happens to use some fairly direct expressions to the under secretary, will that person be charged with obstruction, intimidation and assault? It will be a verbal assault. I shudder when I think of the rights of the councils.

I move the following amendments—

“At page 30, line 38, omit the words—

‘Each of them,’”;

“At page 30, line 39, omit the words—

‘and the Under Secretary’.”

I have much pleasure in moving those amendments, because at least they will soften this provision.

Amendments (Mr Scott) negatived.

Question—That clause 82, as read, stand part of the Bill—put; and the Committee divided—

Ayes, 38

Ahern
Alison
Bailey
Bjelke-Petersen
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby
Harper

Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechie
McPhie
Muntz
Newton
Powell

Randell
Row
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 23

Campbell
Casey
Comben
D'Arcy
De Lacy
Eaton
Fouras
Goss
Hamill

Mackenroth
McElligott
McLean
Milliner
Price
Scott
Vaughan
Veivers
Warner, A. M.

Wilson
Wright
Yewdale

Tellers:

Burns
Underwood

Resolved in the affirmative.

Clause 83, as read, agreed to.

Bill reported, with amendments.

Third Reading

Bill, on motion of Mr Katter, read a third time.

Mr McLEAN: I rise to a point of order. I bring to your attention, Mr Speaker, that the House has now been sitting for a total of almost 18 hours. I seek your assistance as to what happens now. As you can see, Mr Speaker, half of the National Party members are asleep and half of our members are asleep. I seek your advice as to whether we should have a break.

Mr SPEAKER: Order! What happens will be determined by the Speaker. The House will proceed.

Mr Wharton: There is no point of order.

Mr SPEAKER: There is no point of order.

Mr McLEAN: I rise to a point of order.

Mr SPEAKER: Order! There is no point of order.

Mr McLEAN: I rise to a point of order. I will insist on this, for one reason.

A Government Member: You're not back on the wharves now.

Mr McLEAN: I do not care about the wharves. Everyone in this world is entitled to conditions of some sort. If the Government wants to push things through like this, there is something wrong. I move—

“That the House do adjourn for half an hour.”

Honourable Members interjected.

Mr SPEAKER: Order! I warn the honourable member for Bulimba under Standing Order 123A and I ask him to leave the Chamber.

Mr McLEAN: I beg your pardon?

Mr SPEAKER: I have asked the member to leave the Chamber under the provisions of Standing Order 123A.

Mr McLean: Good.

Mr WRIGHT: I rise to a point of order. Mr Speaker, in the uproar we were not aware that you had warned the honourable member, and I believe that it is a requirement that you must warn him before you ask him to leave.

Mr SPEAKER: Order! I warned the honourable member for Bulimba twice.

Mr WRIGHT: We did not hear that. In view of that, you ought to allow him to stay.

Mr SPEAKER: Order! I warn the Leader of the Opposition as well under Standing Order 123A.

Honourable Members interjected.

Mr SPEAKER: Order! The honourable member for Bulimba will leave the House immediately.

Honourable Members interjected.

Mr SPEAKER: Order! Will the member for Bulimba leave the House?

Mr McLean: Right, I will.

Mr SPEAKER: No more, otherwise the honourable member will be named.

Whereupon the honourable member for Bulimba withdrew from the Chamber.

BILL: TIMES ALLOTTED FOR REMAINING STAGES

Hon. C. A. WHARTON (Burnett—Leader of the House), by leave, without notice:
I move—

“That, notwithstanding anything contained in the Standing Orders and the Sessional Orders, the following times be allotted for the remaining stages of the following Bill, unless the remaining stages be concluded sooner on this day’s sitting—

Bill	Conclusion of Second Reading Debate	Report from Committee and Third Reading
Community Services (Aborigines) Bill	8 a.m.	8.30 a.m.

If the debate on any stage of the Bill be not concluded by the time so specified, Mr Speaker, or the Chairman, as the case may be, shall forthwith put the remaining questions on that Bill without any further amendment or debate.”

Mr WRIGHT: Mr Speaker, I believe that there is a motion before the House and you have to put that motion.

Mr SPEAKER: The motion has been put.

Mr Wharton: No, no, no. Put the motion.

Mr WRIGHT: It has been moved, Mr Speaker.

Mr SPEAKER: The motion of the Leader of the House has been agreed to.

Mr WRIGHT: Mr Speaker—

Mr SPEAKER: It has been agreed to.

Mr WRIGHT: No, Mr Speaker. You must put the motion. I wish to speak to the motion, as is allowed under Standing Orders.

Mr SPEAKER: The question has been agreed to.

Mr WRIGHT: You have not put the motion, sir.

Mr SPEAKER: Order! I warn the Leader of the Opposition under Standing Order 123A.

Mr WRIGHT: Mr Speaker, I move—

“That your ruling be disagreed with.”

Mr SPEAKER: Order!

Mr WRIGHT: I move—

“That your ruling be disagreed with.”

Mr SPEAKER: Order!

Mr WRIGHT: I officially move, sir—

“That your ruling be disagreed with.”

Mr SPEAKER: It is too late in the day for this sort of thing.

Mr WRIGHT: I am sorry.

Mr SPEAKER: The question is—

Mr WRIGHT: Mr Speaker?

Mr SPEAKER: Yes.

A Government Member: Sit down.

Mr Wharton: "The question is"; "The question is". Just put the question.

Mr WRIGHT: There is a formal motion before the House.

Mr SPEAKER: Order!

Mr Wharton: Just put the question.

Mr Bjelke-Petersen: You can't take over the running of the House.

Mr WRIGHT: Mr Speaker——

Mr SPEAKER: Order! The question has been put and agreed to by the House.

Mr WRIGHT: Mr Speaker——

Mr SPEAKER: Order!

Mr WRIGHT: Mr Speaker, you have put the motion and I want to speak to it before it goes to the vote, which is my right.

Mr SPEAKER: Order! The question has been put that the motion of the Leader of the House be agreed to.

Mr WRIGHT: And I am speaking to it.

Mr SPEAKER: Order! All those in favour say "aye"——

Mr WRIGHT: Mr Speaker, on a point of order——

Mr SPEAKER: Order! I have to make a ruling on this, although I am not actually sure of what is going on. However, I assure the Leader of the Opposition that I am of the belief that at this late hour his suggestion is fraudulent. I cannot rule otherwise than that the House will go ahead with the motion.

Mr WRIGHT: Mr Speaker, you have not heard my point of order.

Mr SPEAKER: Order! I have listened to the point of order.

Mr WRIGHT: Mr Speaker, you have not even heard it.

Mr SPEAKER: Order! I have.

Mr WRIGHT: What was it, then?

Mr SPEAKER: Order! It is no use the honourable member questioning me. I told him before that I will not allow debate on my rulings. My decision is that the House will proceed with the motion of the Leader of the House.

Mr WRIGHT: Divide!

Question—That the motion (Mr Wharton) be agreed to—put; and the House divided—
In division—

Mr Wharton interjected.

Mr WRIGHT: It is the fault of the Leader of the House. He is prostituting the rules of this Chamber.

Mr SPEAKER: Order! I again warn the Leader of the Opposition under Standing Order No. 123A.

Mr Wright: On what basis?

Mr SPEAKER: Goodness me! If the honourable member does not know what it is, I must tell him that next time it happens he will leave the Chamber.

Ayes, 40

Ahern
Alison
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby
Harper

Harvey
Henderson
Hinze
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz
Newton
Powell

Randell
Row
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 22

Campbell
Casey
Comben
D'Arcy
De Lacy
Eaton
Fouras
Goss
Hamill

Mackenroth
Milliner
Price
Scott
Underwood
Vaughan
Veivers
Warner, A. M.
Wilson

Wright
Yewdale

Tellers:

Burns
McElligott

Resolved in the affirmative.

COMMUNITY SERVICES (ABORIGINES) BILL

Second Reading—Resumption of Debate

Debate resumed (see p. 2897) on Mr Katter's motion—

“That the Bill be now read a second time.”

Mr SCOTT (Cook) (7.37 a.m.): Once again, we are in the terrible position that we have sat all night and still have legislation to deal with.

Government Members interjected.

Mr SCOTT: It is not my fault; Government members should not worry about that. If the Government wants to bring in legislation such as this—

Government Members interjected.

Mr SCOTT: We will oppose the legislation because, somehow or other, we have to get justice for the people throughout the State whom we represent. Government members do not care about them, but we certainly do. No only that; the Minister has messed up the whole business by bringing in two pieces of legislation when there should be only one. The legislation is similar. There are very few provisions in the Aborigines legislation that are different from those in the earlier Bill, and that is what the Government is imposing on the people of this State. Instead of having the courage to say that there should be only one piece of legislation, the Government has let the people down by dividing it into two on a totally unreal premise. This legislation will be the joke of Australia.

I protest very strongly about the way in which the legislation has been handled. It is disgraceful that the debate on the Community Services (Torres Strait) Bill was interrupted so that this Bill could be introduced. Opposition members want to know what is going on. The Opposition has been in the Chamber the whole night, yet we are now asked to make useful comments on this Bill.

Mr Katter interjected.

Mr SCOTT: While I have been sitting here, I have also been studying this Bill, and I will be able to make a very useful contribution. This is not a parliamentary system; it is a farce.

There has been no proper consultation with the Aboriginal people. My colleagues and I described in debate on the earlier Bill how, again and again, the Minister promised consultation but did not deliver. We have incontrovertible evidence of that. When the Aboriginal people who form the Government's own working party decided to make inconvenient or uncomfortable suggestions, their thoughts were set aside. Members of the Minister's back-bench committee are full of pride at how hard they have worked. We will totally discount that. We did that in the debate on the other Bill, and we will do the same on this Bill. Members of the Minister's committee made a great deal about how far they travelled. The Minister said that he has had only four hours sleep. He had that here during the debate on the Community Services (Torres Strait) Bill.

Mr Katter interjected.

Mr SCOTT: It is not only debating legislation in this House, it is having consultation, and that is what did not occur. The Minister looked sincere and tried hard, but he sold the Aboriginal people a line. In the end the Minister's departmental head got the Premier to sell them out. That is what has happened. The Minister cannot even trust the Premier.

The Minister has no credibility with the Premier or with his own department, even with its fancy new name. He certainly has no credibility with the Aboriginal people. They wanted self-management and all the other things that Opposition members have mentioned—pride, dignity and the capacity to run their own affairs. What did the Minister produce? What sort of an egg has been laid in this Chamber? A set of laws that just copy out the present discredited legislation. It has been thoroughly discredited in all the public debates that have occurred in Queensland over many years. The Minister has thrown in a few gimmicks and called it new legislation. Sadly, the new bits do give the departments new powers and new means to coerce and intimidate the people.

It is extraordinary how often the under secretary is mentioned in the Bill. In my contribution to the debate on the Torres Strait Islanders legislation, I said that the under secretary is mentioned 90 times in the present legislation. He is just as ubiquitous in this legislation. In several places, he is made co-equal with the Minister, and there are clauses that demonstrate that. Once this Bill is passed, I will bet that the Minister will not be game to countermand his permanent head any more.

I draw the attention of the House to several peculiar aspects of this Bill. Firstly, let nobody labour under the misapprehension that Aborigines have been given any form of self-management. They have not, and that would be well-known to anyone who has read the legislation. It preserves the system. Instead of being called managers, the DAIA managers will be called executive officers. I notice that the Minister was not game to impose that provision on the Torres Strait Islanders. He is making two different classes of people out of the black people in our community.

What sort of changes does this legislation bring? Absolutely none. I find it unbelievable that the Minister and Government members can claim that this legislation represents any advance at all. The people of Yarrabah who have been in the gallery will return home to find a new Act but the old manager and the same power under a new name.

The Government is giving Aborigines an Aboriginal Industries Board to control the very enterprises that are vital to the development of the communities. That is a totally new concept. The Island Industries Board has never been a success. Now the Minister is imposing a similar board on Aborigines.

Who will be the chairman of the new board? It will be none other than our good old friend the under secretary, Mr Killoran. He will be chairman of the Aboriginal Industries Board. What a dreadful thing to impose on the retailing organisations throughout the peninsula! I can see what the Minister is doing. He is phasing Mr Killoran out of a job. He feels that he has come out on top. The Premier has been given private indications that Mr Killoran has come out on top. Just in case that is so, he has been found a nice sinecure. He will be chairman of the board.

The Minister says that the Aboriginal Industries Board can devolve its enterprises to individual Aborigines. The Opposition attempted to reject a similar proposal when the Torres Strait Islanders legislation was debated. We will certainly be doing the same when this legislation is debated. Mr Killoran's record of giving power to others should be examined. It certainly is not encouraging. Of course, he wanted to grasp all power to himself when he contested the seat of Cook. He was rejected. Nobody will be fooled by the fact that Aborigines are elected to the board. Mr Killoran will be chairman and will run the board. He will decide the future, as he has always done in the past.

Several Government members have repeatedly referred to the fact that council elections will be conducted in accordance with the provisions of the Local Government Act. If that is true, why is it necessary to have a provision that allows the regulations to override the provisions of the Local Government Act? Again, we sought to delete that provision from the previous legislation. The Minister has retained it for his own secret purposes. The regulations need not relate in any way to the provisions of the Local Government Act. I do not want to make any more of this sorry matter. We said enough about it when we debated the Torres Strait Islanders legislation.

The Minister is conducting this debate in the early hours of the morning in the hope that nobody will notice. Goodness me, it is the early hours of the day! He may be able to control the debate because he has the numbers, but he will not be able to control tomorrow, and the judgment of the Aboriginal people will be much harsher than the words that have been exchanged in this Chamber.

Mr Katter interjected.

Mr SCOTT: I know. I travel round amongst them. The Leader of the House knows that I talk to the Aborigines on a man-to-man basis and not in the condescending manner that the Minister for Aboriginal and Islander Affairs uses in front of the television cameras.

This has been a sorry day in the history of Queensland and I must make a few comments about the lack of discussion. Both the Aboriginal and Islander Advisory Councils set up working parties. That was at a time when the Minister was a back-bencher, but he may have taken a little bit of notice of what was happening in Aboriginal affairs. He could not have taken very much interest, because when he first became Minister, the only thing he could talk about was when he played football with Aborigines, and he said that he was going to meet with them and learn from them. Obviously, he did not do that, just as one of his predecessors (Mr Tomkins) did not. All he did was fish.

Both advisory councils had set up working parties to meet and discuss proposals for service legislation, a draft submission of which was expected to come to Cabinet some time in August. The acting Premier informed the religious groups accordingly. He said at that time—

“The Government's intention is to produce information after consultation which can then be tabled in the Parliament, if possible, to allow community comment and further consultation.”

By 23 August 1982, both the State and Federal Governments had declined to fund the inaugural meeting of the Aboriginal Advisory Council Working Party. The Minister's predecessor played a dastardly trick on the Aboriginal people, because they then became incommunicado. That is the reason why there has been no input from them to this Bill.

Upon request, the heads of churches undertook to fund the meeting, having communicated their distress to the Government for declining the request that appeared to be reasonable, necessary and proper.

In reply to calls for consultation, Mr Tomkins, the Minister for Water Resources and Aboriginal and Island Affairs, replied in these terms on 7 September 1982—

“The deferral of drafting and the introduction of Services Legislation was the wish of the Advisory Councils to enable them to consider further the implications and alternatives of the issue. This decision was formally made at the two Councils meetings at Bamaga in July and in the interim many Councils, not necessarily those most publicly vocal have made a great deal of progress in establishing their exact wishes. Further meetings of the Advisory Councils to firmly base draft legislation are imminent. These measures have been taken so that the best possible opportunity can be afforded for careful consideration by those concerned of the Government’s proposal. The Aboriginal and Islander Advisory Councils are in fact now engaged in that process at a very meaningful level.”

That is the sort of tripe that the then Minister, Mr Tomkins, promulgated throughout Queensland.

No meeting of the Aboriginal Advisory Council has occurred since that statement was made by Mr Tomkins.

After becoming Minister, Mr Val Bird informed the press that he had met with some church leaders. He said—

“The Churches themselves who have played a very important role in the welfare of Aboriginal and Torres Strait Islanders over very many years agree that they are far better off with land held under Deed of Grant in Trust than they are under freehold title.”

That is simply not so. That confusing statement necessitated another statement by the heads of churches on 10 March 1983.

On 2 March 1984, the heads of churches renewed their call for consultation, as did the Labor Party. The Labor Party said that consultation was necessary to meet the promises made by the Premier which he had no intention of honouring. The heads of churches said—

“While welcoming the amendments to the Land Act we again express our hope that there be full consultation with the people on the reserves and their elected representatives as well as with concerned community groups in the preparation of the Deeds of Grant and the Services legislation which is to replace the Aboriginal Act and the Torres Strait Islanders Act.”

Now, on this sad day, Friday the 13th, legislation is being debated about which there has been no consultation. My colleagues will reinforce my arguments and elaborate on the comments made in the last debate. I repeat: There has been no consultation, and the Aboriginal people, the Government and the Minister know that.

Mr HAMILL (Ipswich) (7.50 a.m.): Mr Speaker—

Government Members: Oh, no!

Mr HAMILL: Government members will hear plenty, because Opposition members are disgusted at the way in which the Government has ramrodded legislation through the House. The Opposition is prepared to accept its responsibility and to scrutinise the Bills in detail. Last night it availed itself, as best it could, of Standing Orders.

This Bill was brought in at 10 o'clock last night, at a time when the House was debating the second reading of the Community Services (Torres Strait) Bill. Its title, of course, is a misnomer. We all know that what we are debating are an up-market, revamped Aborigines Act and an up-market, revamped Torres Strait Islanders Act.

Ms Warner: Down-market.

Mr HAMILL: As the member for Kurilpa said, they are down-market Acts in many respects.

As Opposition members pointed out during the debate on the earlier Bill, an assault was made on the civil liberties and human rights of Islanders and Aborigines. The Government has made great play at endeavouring to make a great leap forward for the Aboriginal people of Queensland.

As in the case of the Torres Strait Islanders Bill, this Bill only marks time. The Government has carried out a great con job. The Minister has spent tremendous resources on roaming round consulting with Aboriginal and Islander communities. Unfortunately, the money seems to have been poured down the drain.

Opposition members argued trenchantly for a process of consultation, and we cannot abide a situation in which consultation is ignored, and in which recommendations are ignored, because the Minister loses a bureaucratic battle with the director of the DAIA and finds himself saddled with legislation that, I am sure, he would rather bring forward in an improved form.

Opposition members canvassed the arguments against the Bill dealing with Torres Strait Islanders. However, we have not had time to study this Bill in detail, and we now have to debate it this morning. We have endeavoured as best we can to examine the clauses in detail.

Our examination shows that a number of provisions depart substantially from those in the Bill dealing with Torres Strait Islanders. Like that Bill, this Bill is paternalistic and racist. It embodies the principles that were contained in the old legislation. It does not recognise that Aborigines and Islanders are more than capable of attending to their own affairs. They do not need the helping hand of Big Brother. Last night I described the director as a veritable Pooh-Bah. He is a banker, a licensing commissioner and he is now the under secretary. However, this Bill does not recognise the basic human dignity of the Aboriginal population of Queensland.

Like the earlier Bill, this Bill gives ever more power to the under secretary. One wonders why he bears the title "under secretary". It would be more appropriate if he were termed "over secretary", because a number of clauses indicate that his position equals that of the Minister. In some clauses, his position even surpasses that of the Minister.

Mr Underwood: He wants to get up with the big boys in the Treasury, the Mines Department and the Health Department.

Mr HAMILL: That is a classic case of reclassification. The Government was pretty good at reclassifying to get round the wages pause.

Mr Underwood: Superannuation and all that?

Mr HAMILL: Superannuation as well.

The same tired, old provisions are here, but now they are dressed up in tatty clothes.

Ms Warner: Do you think that the reason the Bill will not have full effect for three years is that in three years' time the under secretary will retire?

Mr HAMILL: That is a very interesting point, and one that I was about to make.

This Community Services (Aborigines) Bill carries an artificial title. All honourable members know that it is the old Aborigines Act revisited. I intend to deal briefly with some of the more serious provisions in the Bill.

The Minister might say, "Here we go again." The Opposition does not resile from the arguments that it placed before the House in relation to similar provisions in the Community Services (Torres Strait) Bill. This Bill provides for power of official inquiry—a very unnecessary power of investigation that goes far beyond that which would be expected by the ordinary citizens of Queensland, our friends and neighbours, but certainly not those who are living in the areas to which this Bill has relevance. The clause allows an invasion of privacy that the white population of Queensland could not stand, yet that is OK as far as the Minister and his department are concerned because in the view of the department the people he is trying to help need the helping hand of the new Department of Community Services. The Opposition disagrees with that totally. Those people are more than capable of standing on their own two feet. In fact, they earnestly want the self-respect and the rights enjoyed by other Queenslanders. They want to live their lives their own way and not have a meddlesome department interfering from go to whoa.

I find most repulsive the argument in relation to so-called local authorities that the Minister delights in trying to set up. I will recount the arguments—

Mr Scott: He is asleep again, and he is not taking any notice of you.

Mr HAMILL: His unconsciousness was not broken last night. We hoped that with the rising of the sun we might break through this morning.

The point is that no matter how he tries to dress it up in some fancy new clothes, the Minister is erecting communities outside local authorities that will not have the same benefits as local authorities—the Minister chooses to call them shires or local authorities—and in so doing leaves them well and truly under the thralldom of the Department of Community Services. He has succeeded in taking the franchise from them. He has succeeded in downgrading the position of Aborigines in this State and he has employed a divide and conquer technique. Whilst the Community Services (Torres Strait) Bill accords second-class citizenship to Torres Strait Islanders, the Aborigines have been accorded third-class citizenship by certain pernicious provisions establishing executive officers for a three-year period and not being given the limited autonomy that Torres Strait Islanders are enjoying. The Bill is loathsome. The Opposition opposes it. I reserve further comment to the Committee stage.

Mr De LACY (Cairns) (7.58 a.m.): I realise that the Opposition has been effectively gagged, so I do not have much time to speak to the Bill. That is one of the tragedies of being gagged. Yarrabah is in my electorate. Councillors from Yarrabah have sat through the whole night listening to the debate. At this time in the early hours of the morning I would like to recognise Alf Neal, who is a very well-known councillor and a very highly respected person at Yarrabah. At 2 a.m. this morning I said to him, "Why don't you go home? This will be a long night." He replied, "I came down here to hear the Community Services (Aborigines) Bill debated. That is the one that refers to us. I am particularly interested and I am prepared to sit here to hear it debated." He came a long way to do that. The Bill contains 84 clauses and must be debated in 45 or 50 minutes.

Mr Hamill: Disgraceful!

Mr De LACY: That is disgraceful. It is an indictment of the Minister, and it is an indictment of the Government that it should do this.

It reflects against the people. It sums up the Government's attitude to Aboriginal people. They have been waiting for months for this legislation. They were led to believe—

Mr SPEAKER: Order! Under the provisions of the allocation of time order agreed to by the House this day, the remaining time has now expired.

Question—That the Bill be now read a second time (Mr Katter's motion)—put; and the House divided—

Ayes, 38

Ahern
Alison
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby

Harper
Harvey
Henderson
Jennings
Katter
Kaus
Lane
Lester
Lingard
Littleproud
McKechnie
Menzel
Muntz
Newton

Powell
Randell
Row
Simpson
Stephan
Stoneman
Turner
Wharton

Tellers:
McPhie
Neal

Noes, 18

Campbell
Casey
Comben
D'Arcy
De Lacy
Eaton
Fouras

Goss
Hamill
Mackenroth
McElligott
Price
Scott
Veivers

Warner, A. M.
Wright

Tellers:
Burns
Underwood

Resolved in the affirmative.

Committee

The Chairman of Committees (Mr Row, Hinchinbrook) in the chair; Hon. R. C. Katter (Flinders—Minister for Northern Development and Aboriginal and Island Affairs) in charge of the Bill.

Clauses 1 to 9, as read, agreed to.

Clause 10—Power of delegation—

Mr HAMILL (8.7 a.m.): The clause encapsulates one of the major objections that the Opposition has to the legislation. It very clearly outlines the relationship between the Minister and the under secretary of the new Department of Community Services. The way this department will run, the under secretary will be almost like a hydra. Under the Bill, the under secretary has many heads and pops up in a whole variety of ways. I ask the Minister: On what basis will the functions under the Bill operate? I would have thought that the Minister would have the political control of the department and, therefore, I see it as being rather strange that the powers seem to be shared in some way by the Minister and the under secretary. In fact, it seems that often the under secretary has equal powers with the Minister and may act of his own volition to undertake the powers that are listed in the clause. I seek the Minister's clarification of the inordinate powers of the under secretary.

Mr De LACY: The clause highlights the point that the Opposition has made time and time again throughout the night because the ubiquitous under secretary raises his head again and is mentioned in the clause a number of times. At this stage it is important that the Minister understand that one of the objections that the Aboriginal people of Queensland have, and have had for a long time, in the administration of their affairs, is their relationship with the director, who will now be called the under secretary. When Aborigines looked to the new legislation they hoped that the all-pervasive influence and spectre of the director would be either dissipated or taken away. That is the point that I am raising now on behalf of the Aboriginal people because they can see in this legislation that there is nothing new in the State of Denmark.

Clause 10, as read, agreed to.

Clause 11, as read, agreed to.

Clause 12—Official inquiries—

Mr SCOTT (8.11 a.m.): We intend to oppose this clause. We have already dealt with this subject very thoroughly in the debate on the Community Services (Torres Strait) Bill—

Mr Lane interjected.

Mr SCOTT: It is all right for the Minister for Transport; he is used to thumping his way through life. We go through life in a different way. We try—

Mr Lane: Who is this "we"?

Mr SCOTT: The people in the Australian Labor Party. We can talk about "we" because we stick together. We show allegiance to our party. We do not jump the fence as the Minister did.

The CHAIRMAN: Order! The honourable member will confine himself to the clause.

Mr SCOTT: I was provoked by the Minister for Transport. I will try to restrain myself.

If there has to be a special investigation or inquiry, why can it not be fully governed by the Commissions of Inquiry Act or other special legislation, instead of having it sitting in this Bill as a threat over the heads of the Aboriginal people. A general power under the Act could be used to intimidate local communities. That is what appears in this legislation. It is a threat to the people in the communities, and we believe that it must be deleted.

Mr HAMILL: I will elaborate briefly. The provision is very excessive. There is ample legislation in other places to do with royal commissions and other investigative instruments. We do not need such an intimidatory provision in this legislation. It gives inordinate power. The clause states—

"The Governor in Council may authorize any person to make and hold such inspections, investigations and inquiries for the purposes of this Act as he considers desirable and for the purposes of such an inspection."

It gives enormous power that is vested effectively in the Cabinet, and I believe that the Aboriginal people deserve much better treatment than is meted out by such provisions.

Mr HENDERSON: This clause is entitled "Official inquiries" I am certain that I speak on behalf of both sides of the Committee when I suggest that perhaps the first inquiry that should be carried out is to find out why not a single member of the Liberal Party has been present during either of these debates.

The CHAIRMAN: Order! The honourable member will confine his remarks to the clause under discussion.

Mr De LACY: If we wanted any stronger evidence of the fact that the Aboriginal people will not be existing in a state, as the Minister says, equivalent to local authority areas, this clause is it. If the Minister can show me any provision in the Local Government Act that empowers the Governor in Council to authorise any person to hold an inspection, investigation or inquiry, he will probably win the point. The clause proves what we have been saying all night—that these people are still being treated in a manner which would not be meted out to other Queenslanders under the Local Government Act.

Question—That clause 12, as read, stand part of the Bill—put; and the Committee divided—

Ayes, 36

Ahern
Bailey
Bjelke-Petersen
Booth
Borbidge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby

Harper
Harvey
Henderson
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz

Newton
Powell
Randell
Simpson
Stephan
Stoneman
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 17

Campbell
Comben
D'Arcy
De Lacy
Eaton
Fouras
Goss

Hamill
Mackenroth
McElligott
Price
Scott
Veivers
Warner, A. M.

Wright

Tellers:

Burns
Underwood

Resolved in the affirmative.

Clause 13, as read, agreed to.

Clause 14—Requirement of Aboriginal Councils—

Mr FOURAS (8.21 a.m.): Although this legislation sets up a basic local government structure for the administration of the communities, it does not adopt the approach of the Local Government (Aboriginal Lands) Act 1978 introduced for the Aurukun and Mornington Island shires. The clause does not even give limited timber and quarry rights, nor does it give rights to a share of the profits of mining conducted on community land. The Aurukun and Mornington Island legislation does. This legislation, in many ways, is worse than the Aboriginal and Islander people expected. It is a sell-out and a cop-out.

Clause 14, as read, agreed to.

Clauses 15 and 16, as read, agreed to.

Clause 17—Times for election of councillors—

Mr KATTER (8.22 a.m.): Alf Neal and Mick Omeenyo, who have been in the gallery all night, asked me on various occasions about the times for elections. The councils that they represent will remain in office until 1985, and an election will be held on a date set aside for other local government elections. Mick Omeenyo impressed me as a person with a deep love for his area and he has made significant contributions to it. The same can be said of Alf Neal. I have referred to the statements he made to me during my travels through the communities in the last two or three months. I draw the attention of the House to their presence.

Clause 17, as read, agreed to.

Clause 18, as read, agreed to.

Clause 19—Relationship of Aboriginal area to Local Authority Area—

Mr SCOTT (8.23 a.m.): The Opposition will move an amendment to this clause. It is the most onerous provision in the legislation and disfranchises Aborigines in local authority matters. The provision was well canvassed in the previous debate. I move the following amendment—

“At page 8, omit all words comprising lines 1 to 15.”

Mr HAMILL: This is a dreadful provision. A similar provision in the Community Services (Torres Strait) Bill was hotly debated earlier. This provision removes the rights of Aborigines to vote in local authority elections. Because the Minister's sham councils do not constitute local authorities, Aborigines in this State will not be able to participate as do other Queenslanders in local government elections.

Mr McPHIE: I rise to a point of order. The member for Ipswich is making misleading statements. The Aboriginal people will be able to vote in local government elections.

The CHAIRMAN: There is no point of order.

Mr HAMILL: There is no way that the member for Toowoomba North can be made to understand. I support the amendment moved by the member for Cook.

Mr De LACY: If, having listened to the calm, reasoned logic that Opposition members have been putting forward all night, the Minister cannot understand that the Aboriginal people are concerned about the person who is to be termed the under secretary, he never will.

I advise him that last night I saw a petition signed by at least 10 of the 16 community councillors. It calls for the resignation of Mr Pat Killoran. Presumably the Minister will receive that petition in the very near future.

The petition was signed by those people because they felt that they were let down by this legislation. They are trying to make their point in another manner.

Mr PRICE: I reiterate a point that I made in the debate on the earlier Bill. I referred to Doomadgee, and I asked the Minister what would happen—

The CHAIRMAN: Order! Under the provisions of the allocation of time order agreed to by the House this day—

An Opposition Member: I rise to a point of order.

The CHAIRMAN: Order! There is no point of order. Under the provisions of the allocation of time order agreed to by the House this day, the time for debate on the clauses has expired. The question now is—

“That clauses 19 to 84, as read, stand part of the Bill.”

Those of that opinion say “Aye”; to the contrary, “No”. I think the “Ayes” have it.

Mr HAMIILL: I rise to a point of order. The Chair has an amendment before it.

The CHAIRMAN: Order! This motion overrules all other business.

Question—That clauses 19 to 84, as read, stand part of the Bill—put; and the Committee divided—

Ayes, 37

Ahern
Bailey
Bjelke-Petersen
Booth
Borbridge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby
Harper

Harvey
Henderson
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz
Newton
Powell

Randell
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 16

Comben
D'Arcy
De Lacy
Eaton
Fouras
Goss

Hamill
Mackenroth
McElligott
Price
Scott
Veivers

Warner, A. M.
Wright

Tellers:

Burns
Underwood

Resolved in the affirmative.

Bill reported, without amendment.

Third Reading

Hon. R. C. KATTER (Flinders—Minister for Northern Development and Aboriginal and Island Affairs): I move—

“That the Bill be now read a third time.”

Question put; and the House divided—

Ayes, 38

Ahern
Bailey
Bjelke-Petersen
Booth
Borbridge
Cahill
Chapman
Cooper
Elliott
FitzGerald
Gibbs, I. J.
Glasson
Goleby
Harper

Harvey
Henderson
Jennings
Katter
Lane
Lester
Lingard
Littleproud
McKechnie
McPhie
Menzel
Muntz
Newton
Powell

Randell
Row
Simpson
Stephan
Stoneman
Tenni
Turner
Wharton

Tellers:

Kaus
Neal

Noes, 16

Comben
D'Arcy
De Lacy
Eaton
Fouras
Goss

Hamill
Mackenroth
McElligott
Price
Scott
Veivers

Warner A. M.
Wright

Tellers:

Burns
Underwood

Resolved in the affirmative.

SPECIAL ADJOURNMENT

Hon. C. A. WHARTON (Burnett—Leader of the House): I move—

“That the House, at its rising, do adjourn until 11 o’clock a.m. on a date to be fixed by Mr Speaker in consultation with the Government of this State. Mr Speaker shall, not less than seven days prior to the meeting date so fixed, give notification of such meeting date to each member of the House.”

Question put; and the House divided—

Ayes, 38

Ahern	Harvey	Randell
Bailey	Henderson	Row
Bjelke-Petersen	Jennings	Simpson
Booth	Katter	Stephan
Borbidge	Lane	Stoneman
Cahill	Lester	Tenni
Chapman	Lingard	Turner
Cooper	Littleproud	Wharton
Elliott	McKechnie	
FitzGerald	McPhie	
Gibbs, I. J.	Menzel	
Glasson	Muntz	<i>Tellers:</i>
Goleby	Newton	Kaus
Harper	Powell	Neal

Noes, 16

Comben	Hamill	Warner, A. M.
D’Arcy	Mackenroth	Wright
De Lacy	McElligott	<i>Tellers:</i>
Eaton	Price	Burns
Fouras	Scott	Underwood
Goss	Veivers	

Resolved in the affirmative.

The House adjourned at 8.43 a.m. (Friday).

BILLS ASSENTED TO AT CLOSE OF SESSION

The following Bills, having been passed by the Legislative Assembly and presented for the Royal Assent, were assented to in the name of Her Majesty on the dates indicated:—

(12 April 1984)—

Criminal Code and Bail Act Amendment Bill.

(18 April 1984)—

City of Brisbane Act Amendment Bill;
Fire Brigades Act and Other Acts Amendment Bill.

(26 April 1984)—

Parole Orders (Transfer) Bill.

(9 May 1984)—

City of Brisbane Town Planning Act Amendment Bill;
Farm Water Supplies Assistance Act and Another Act Amendment Bill;
Fig Tree Pocket Noise Emission Bill;
Firearms and Offensive Weapons Act Amendment Bill;
Golden Casket Art Union Act and Another Act Amendment Bill;
Land Sales Bill;
Local Government Act Amendment Bill;
Valuation of Land Act Amendment Bill.

BILLS ASSENTED TO AT CLOSE OF SESSION—*continued*

(10 May 1984)—

Brisbane and Area Water Board Act Amendment Bill;
 Building Act Amendment Bill;
 Hawkers Bill;
 Law Reform Commission Act Amendment Bill;
 Stock Routes and Rural Lands Protection Act and Other Acts Amendment Bill;
 Trustee Companies Act Amendment Bill;
 Valuation of Land (Annual Adjustment) Bill.

(15 May 1984)—

Community Services (Aborigines) Bill;
 Community Services (Torres Strait) Bill;
 Fauna Conservation Act and Another Act Amendment Bill;
 Land Act Amendment Bill;
 Liquor Act Amendment Bill;
 Pawnbrokers Act Amendment Bill;
 Privacy Committee Bill;
 Queensland Transport and Technology Centre Bill;
 Second-hand Dealers and Collectors Bill;
 Weekend Detention Act Amendment Bill.

(29 May 1984)—

Primary Producers' Organisation and Marketing Act and Other Acts Amendment Bill;
 Racing and Betting Act Amendment Bill.
 Governor's Salary Act Amendment Bill (reserved for Royal assent 22 March 1984;
 assented to 11 April 1984).

 PROROGATION

On 12 July 1984 the following Proclamation was issued by His Excellency the Governor:—

A PROCLAMATION by His Excellency Commodore Sir JAMES MAXWELL RAMSAY, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Royal Victorian Order, Commander of the Most Excellent Order of the British Empire, upon whom has been conferred the Decoration of the Distinguished Service Cross, and Commodore in the Royal Australian Navy (Retired) Governor in and over the State of Queensland and its Dependencies in the Commonwealth of Australia.

[L.S.]

JAMES RAMSAY,

Governor.

In pursuance of the power and authority vested in me, I, Sir JAMES MAXWELL RAMSAY, the Governor aforesaid, do, by this my Proclamation, prorogue the Parliament of Queensland to Tuesday, the Seventh day of August, 1984.

Given under my Hand and Seal at Government House, Brisbane, this twelfth day of July, in the year of our Lord one thousand nine hundred and eighty-four, and in the thirty-third year of Her Majesty's reign.

By Command, JOH. BJELKE-PETERSEN.

GOD SAVE THE QUEEN!